SPANISH PRISONER DAVID ROSENTHAL

THE NATION

SEPTEMBER 20, 1975 50 cents

**WILL NIXON EXONERATE HISS?**
***Carey McWilliams***

**New York's Satellite Parties**
## THE POLITICS OF PRESSURE
**Robert Karen**

***WHO OWNS THE SIDE ARMS?***
***The Demography of Gun Control***
***James D. Wright***

**The Burger Drift**
## Undermining Adversary Justice
**Stuart A. Scheingold**

***SA... GILBERT***
***John Rosenb... chardson'***

SEP 15 1975

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# LETTERS

## one vote cast

*Fresno, Calif.*

As an old Norman Thomas Socialist voter, I would support Nader & Brown or Brown & Nader over any other Democratic possibles.

*J.P. Womack*

## controlling the zip

*Oyster Bay, N.Y.*

In *The Nation* of July 5, Jonathan D. Sarna quoted the Postmaster General as requesting help in giving better service. Sarna points out that a significant cause for mail delays is due to the fact that the average letter is sorted four times by hand, since sorting machines cannot locate the zip code on the letter.

The one thing which is almost invariably in the same space on a letter is the stamp. (Usually at the upper right-hand corner.) Since the Post Office prints the stamps, it could provide a space at the bottom edge of the stamp in which the zip code could be inserted. . . .

*Stephen Doba Jr.*

## further reading

*Berkeley, Calif.*

Readers of the book review of *The People's Land* by Peter Barnes (*The Nation*, Aug. 2) who want to read further on the land problem, may get a copy of a 185-page bibliography on land reform in rural America by sending $1.25 to the Center for Rural Studies, 1095 Market St., Room 418, San Francisco, Calif. 94103. Copies of the tabloid *People and Land* may be received by sending 50 cents to the Center for Rural Studies.

*Charles L. Smith*

## abortion in Canada

*Montreal*

Your editorial of July 5th on the Morgentaler case includes the following two comments. "In Quebec latent undercurrents of anti-Semitism have no doubt been aroused." You mentioned as well the "intense feelings of Quebec Catholics about him." The first statement is unfounded and the second is simply due to his being an abortionist.

It must be noted that Dr. Morgentaler chose to be tried before French-speaking rather than English-speaking jurors, some of whom professed anti-abortionist views before being sworn in. However, he was twice acquitted of abortion charges by French-Canadian Roman Catholic juries.

*Herbert Marx, Associate Professor of Law*
*University of Montreal*

## Rockwell Kent

For a full-length biography of Rockwell Kent that will deal with the complete range of his activities, I would appreciate hearing from people who knew him. My address is: Research, Room 337, National Collection of Fine Arts, Smithsonian Institution, Washington, D.C. 20560.

*David Traxel*

## fact and essence

*Daly City, Calif.*

In his article of May 17, "The Truth Is Very Simple," Ronald Sampson says of equality:

> However many reforms you legislate, equality remains a mirage on the horizon, for it can be created only by free inner moral and spiritual growth, sharpening the consciences of the strong and strengthening the confidence and identity of the weak.

With all due respect to Mr. Sampson's kindly intentions, it seems wildly odd to me, today, to hear talk of "essences" . . . [in a discussion of] equality, to see it posed as a spiritual or psychological problem, rather than one of social fact. If questions of equality,

(*Continued on page 245*)

# EDITORIALS

## Still a Secret

The world may be awash with oil for the moment, but the surplus will eventually pass and once again energy-voracious Americans will have to face the reality that there is only so much oil and natural gas in the nation's ground, and that conversion to coal and nuclear power are energy alternatives whose environmental hazards suggest Russian roulette.

"The scarcity is real," writes Harold Gilliam, a journalist who has long specialized in ecological issues, in the *San Francisco Sunday Examiner & Chronicle*, but so, he notes, is the mostly ignored treasure of American energy waiting to be taken advantage of by rigorous recycling. The use of returnable containers and the recycling of what must be discarded will not in themselves guarantee bountiful energy for Americans, but with tough conservation measures and top priority for research on new energy sources, a way may yet be found for safe industrial survival.

Gilliam notes that every year Americans throw out 32 billion jars and bottles, 200 million tires, 22 million tons of food and 50 million tons of paper. Most, he says, could be reclaimed; only 7 per cent has been. Between consumers and industry, billions of tons of waste are accumulating.

The government has yet to develop the needed commitment to recycling and recirculating, largely because a substantial industrial lobby has a stake in this empire of waste. Environmental and selfish interests have clashed repeatedly over laws to enforce the use of returnable containers, with the environmentalists—and most of us—usually being defeated. Yet both Oregon and Vermont have been able to enact returnable bottle bills, and their promise for conservation is impressive. Bruce Hannon, director of the Center for Advanced Computation at the University of Illinois, has calculated that a national system of returnables would save enough energy annually to supply San Francisco, Washington, Pittsburgh and Boston with electricity for five months of the year.

Waste in packaging has been growing fiercely since about 1958, when corporate executives decided to lure more consumer dollars into their coffers with fancier, expendable wraps. Gilliam reports that the U.S. Environmental Protection Agency estimates that a return to 1958 packaging levels would save the equivalent of 550,000 barrels of oil per day by 1980—close to 30 per cent of the projected capacity of the environmentally dubious Alaska pipeline.

Those who profit from the waste of nonreturnable, superfluous packaging cloak their private greed in a mantle of job protection: they argue that widespread reuse of products would reduce manufacturing employment. The EPA agrees, says Gilliam, but also suggests that the number of jobs gained in handling the returnables would just about match the number lost in the can and bottle industries by curtailment of throwaways.

Like a Dark Ages monastery, the EPA has been scrupulously guarding the secrets of energy treasures within an environmentally know-nothing administration and has been vainly trying to get the word out about the potentials



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for waste recycling and container conservation. Complementing the scattered efforts of other ecology-conscious Americans, the League of Women Voters Education Fund has compiled two relevant source booklets, *Reduce* and *Recycle* (available for $1 each from the League, 1730 M St. N.W., Washington, D.C. 20036).

Among their other manipulations, corporate advertisers have been able to mystify waste, to make many Americans imagine that they see nonexistent virtues in unneeded, extravagant throwaway packaging. At the same time, the social cost of that packaging has been hidden, the fetish for never-used commodities persists and the relationship between product and energy waste has been obscured. The efforts of the EPA, the League of Women Voters and environmental groups in exposing these secret connections and spreading the word about them is work of high importance.

## Border Industries

Runaway American assembly plants, which found a government-supported haven just across the Mexican border in the mid-1960s, are now moving farther and farther south, continuing their pursuit of exploitable labor that only international organizing by the trade unions can halt.

The Border Industrialization Program, as it is called, was initiated by the Mexican Government in 1965, a year after the Congress put an end to the *bracero* program under which Mexican farm labor was recruited for employment in this country. Confronted with mounting unrest among its jobless citizens along the border, the government under the program encouraged cost-conscious American industries to establish plants, first within a 12.5-mile strip south of the border and, beginning in 1973, in all underdeveloped areas of Mexico. American businesses with plants in the preferred regions have been spared almost all Mexican taxation. Through a loophole in the U.S. Tariff Code, they have been allowed to reimport certain items assembled in foreign plants free of duty except on the value added by foreign labor—and on that, *The New York Times* reported this spring, customs officials believe some companies have been cheating.

The advantages to American business were substantial. The Mexican Government sponsored industrial parks for the concerns. The border plants are close to the domestic markets. Tijuana, for example, is only 10 miles from San Diego and just two hours from Los Angeles. But the chief attraction has been the low wages the companies can pay in Mexico—as little as a fifth of what assembly workers get in the United States.

For the American Government, fearing an outbreak of illegal Mexican immigration at the end of the *bracero* program, and the border tension caused by a vast army of unemployed south of the dividing line, the industrialization program had obvious attractions. American garment, electronics and toy industries rushed into the approved zone, increasing in number from seventy-two in 1967 to 665 in late 1974. Among those with border plants were Hughes Aircraft, Litton Industries and General Electric. "In a few short years," writes the North American Congress on Latin America in an excellent, comprehensive report, "Mexico became the largest assembler of U.S. components

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processed abroad and re-exported to the United States, sending nearly $450 million in 'added-value' to the United States in 1974." Given possible cheating by the companies, the figure may be much larger.

The cost in American jobs has been substantial: the AFL-CIO estimates some 900,000 jobs and job opportunities were lost to runaway factories from 1966 to 1971. Its response has shifted from early support to mere chauvinistic ineffectuality. A fight for protective legislation waged early in the decade was co-opted by a Nixon administration agreement making it easier for workers whose jobs had been exported to be compensated and retrained at government expense.

Organized workers are just beginning to realize that U.S. multinational exploitation may weaken unions domestically. In periods of high production the loss of jobs may not hurt; today it does. At the same time, self-protection movements are bound to fail ultimately unless integrated into a larger trade union strategy. Recently, Rep. Lionel Van Deerlin (D., Calif.) introduced legislation to close the duty-free, re-export loopholes in customs law, but it stands little chance of passage—most of American big business would naturally oppose it—without mass support by domestic workers.

A potentially more effective strategy against the runaway shops would unite domestic labor forces with the exploited workers in the host countries. Already in Mexico labor agitation has raised wages slightly and encouraged movement of some plants further south, into the Caribbean and Central America. Ultimately, American exploitation abroad will end only when the lure of super-cheap labor is removed.

## Seeing Africa Plain

August 26 was "Namibia Day." It was established last year by the United Nations Committee on Namibia (South West Africa) to remind the world that, despite the U.N. General Assembly's decision in 1966 to terminate the League of Nations mandate held by the Republic of South Africa over the territory, Namibia is still being illegally ruled by that racist country.

This year, the crisis which gave rise to Namibia Day is spreading at a more rapid pace than ever before, as the People's Liberation Army of Namibia (PLAN) and other groups in Southern Africa intensify their struggle to regain control over their homeland. And, as if the experience of Vietnam had been nothing more than a Hollywood spectacle, the American people are being led once again into a rising international storm.

With American, British, French, Dutch and German backing, South Africa is, through Project Advokaat, being gradually eased into NATO—albeit through the back door. (See the statement of Jennifer Davis, research director, American Committee on Africa, before the Senate Foreign Relations Committee, July 24.) Private American investments are expanding in Namibia—as well as in Rhodesia and in the Republic of South Africa itself—and the American Government continues to support the *status quo* in Southern Africa, by deeds if not by words. That is evident in the voting history of the American representative on the United Nations Security Council as well as in the failure of the State Department to use its enormous influence to bring independence nearer in Namibia and majority rule in Rhodesia and South Africa.

What all this means is that the effect of current American foreign policy in South Africa is to favor intervention on the side of racial oppression and exploitation rather than of freedom, justice and equality. It also means that, along with the birthrights of oppressed Africans, American policy makers are jeopardizing the rights of future generations of Americans to engage in peaceful and profitable exchange with one of the richest continents on the globe.

In addition to certain military defeat for the ruling minorities in Southern Africa—even if the other NATO powers participate—those responsible for the current trend in American foreign policy should consider the inevitable reaction of those African states north of the Zambezi that are already moving rapidly to the left in their international politics. At best, it will mean further alienation from the West and at worst confiscation of American property.

The collapse of Portuguese colonialism in Angola and Mozambique has virtually sealed the fate of our present trading partners, the white regimes of Rhodesia and the Republic of South Africa. This should be reason for a complete reassessment of American policy, since the new revolutionary governments that will be coming to power in this area—within the decade in Rhodesia and Namibia—will obviously be inclined to think first of those who came to their aid in time of trouble. Sam Nujoma, the president of the South West African People's Organization (SWAPO, of which PLAN is the military arm) and other guerrilla leaders have said so more than once.

The fact that Rep. Charles Diggs, a champion of African freedom, was the only American public official to be even unofficially invited to the independence celebrations of Mozambique should be read by American leaders and corporate executives as a clear signal from Southern Africa. And if that message was not enough, the surprising mobility and effectiveness of African guerrillas in Namibia and Rhodesia should remove all doubt as to which way the tide of history is flowing.

Unfortunately, the vision of American policy makers appears to have been hopelessly narrowed by commercial interests. And to the extent that it has, the American economic and political future in Africa is also narrowed. For while the profits of oppression may be fat as Namibia Day, 1975, passes into history, the freedom struggle in Southern Africa will continue through the years until all of Southern Africa has been liberated from minority rule. At that time the economic pickings could become rather slim for those who supported the side of oppression.

*J.K. Obatala*

## On 'Redlining'

One of the most pernicious exploitations of inner-city residents has been "redlining" by banks and savings institutions, that is, refusing to make loans in certain neighborhoods even though a portion of the potential loan money represents deposits by neighborhood residents. Lack of regulation of such policies has allowed the banks to loan urban residents' money to encourage suburban growth while city areas rot.



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City depositors have begun to fight back, and this year, for the first time, have been winning scattered support in government. Having on their own won concessions from lenders in, among other places, Chicago and Minneapolis, by threatening to withdraw their deposits if redlining continued, community groups seeking to challenge the institutions that hold their money now have governmental support in Illinois, California and Massachusetts. Federal relief may be forthcoming.

The new anti-redlining laws and regulations vary from state to state. The federal rules, which their sponsor, Senator Proxmire, calls "very mild," recently passed the Senate by a vote of 45 to 37. They would require no more than that federally chartered banks and savings institutions make public an annual list of the number and amount of mortgage and home improvement loans made to each postal zip code area in their regions. Massachusetts, according to *The Wall Street Journal*, has similar requirements, although in Boston the lending institutions have to disclose loans by the more specific census tract.

Illinois by law now requires state-regulated lending agencies to list home loans by census tract and zip code in counties with more than 100,000 residents, to refrain from loan discrimination on a geographic basis and to pledge not to reject arbitrarily residential loans in any part of a community served by a lender. The pledge, according to the *St. Louis Post-Dispatch*, also must include willingness to make loans available on low- and moderate-income residential property.

But it seems that the program potentially most specific and with the most teeth—and the least chance of turning out to be largely symbolic—is the one being gradually implemented by Gov. Jerry Brown's administration in California. Though at this stage only savings and loans have been included—regulations concerning commercial banks are being formulated—California after January 1 will probably forbid state-chartered lenders to refuse any home loan just because it is going to a ghetto or a deteriorating neighborhood. Institutions will have to report monthly where, according to census tract, their new loans *and their deposits* are located. Applicants denied mortgages must, if they ask for them, be given reasons in writing. The state will not allow savings and loan associations to close or move any branch office until the institution files a neighborhood impact statement proving that the area will still be adequately served.

To make sure that the rules are enforced, six regional boards of inquiry will be established to monitor complaints from loan applicants who say they have been improperly denied mortgages or compelled to pay unusual interest rates because of the location of their property. Loans improperly denied will be assigned at prevailing terms to randomly selected institutions. The Brown administration says it will seek state legislation requiring the savings and loan industry to pool money for loans to poor neighborhoods—if the lenders do not do so voluntarily.

Administration aides have told *The New York Times* that erring institutions would find it difficult to secure state approval of proposed mergers or expansion. Donald E. Burns, the California secretary of business and transportation who announced the anti-redlining program late last month, said his office will seek state legislation imposing sanctions on violators and that federal regulation of federally charted savings and loans beyond state control is being sought.

The California regulatory package signals a tough, independent spirit on the part of the Brown administration. The bankers have lobbied heavily in Congress and the nation's state capitals to keep depositors ignorant of where their money is invested. Fighting the banks has had its political cost but, with the growth of community concern over redlining, may prove to have benefits as well. Various bank reform groups have advanced goals that make sense: "greenlining" to require loans in depositors' neighborhoods, full disclosure of mortgage lending performance, advertisements publicizing the availability of new mortgage money committed, and a guarantee that mortgage rates in poorer neighborhoods are no higher than those in affluent ones.

The power of the bankers in the political process is such that it may be some years before those goals are met nationwide. But the movement toward them in several states and the Senate passage of Proxmire's legislation are encouraging. The business of lenders *is* business, but for too long institutions that accept money from depositors have been able to use it irresponsibly, failing to reckon in their balance sheets the key item of social cost.

## Will Nixon Exonerate Hiss?

Preposterous as it sounds, it could happen. For Nixon's disgrace has added a new dimension of interest to the case and immeasurably improved the prospects for better media coverage. For example, the news weeklies have begun to show a new and friendlier interest in Hiss's struggle for vindication and speak of "the comeback of Alger Hiss." He has been readmitted to the Massachusetts bar, a small step toward exoneration. Some of the FBI file material is now being released and more will follow. Three rolls of microfilm which Hiss had not seen have been released and turn out to be almost laughably irrelevant, despite the melodramatic and sinister intimations of Messrs. Nixon and Chambers. Most important, a new attitude prevails at the Justice Department under Atty. Gen. Edward Levi and Deputy Atty. Gen. Harold R. Tyler. The policy is now one of "maximum possible disclosure" of file material in both the Hiss and Rosenberg cases.

The prime factor in this new willingness to reconsider the case has been the downfall of Richard Nixon. Lionel Trilling, a consistent partisan of Chambers, accurately notes that "with the Watergate revelations . . . and as discredit overtook the President, partisans of Hiss's innocence were encouraged to revive their old contention that Hiss had been the victim of Chambers and Nixon in conspiracy with each other" (*The New York Review of Books*, April 17). But the same consideration has prompted the partisans of Whittaker Chambers once again to indict and convict Alger Hiss in the court of public opinion. A case in point is an article by Irving Younger (*Commentary*, August), in which, after reading the trial transcript, the author finds Hiss guilty as charged. The timing of this piece is curious, since it was published just as the Justice Department began to release new materials from the FBI files bearing on the case. Sidney Hook has promptly re-en-



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listed in the Keep-Hiss-Convicted intellectual legion and others may be expected to follow suit. Trilling, in the article mentioned, concludes a review of his memories of Chambers by saying "In Whittaker Chambers there was much to be faulted, but nothing I know of him has led me to doubt his magnanimous intention."

That may be, but what is at issue is not Chambers's intention but his integrity, his credibility. Not only did he admit that he had made a number of false statements under oath but there is much collateral evidence to support the belief that he had difficulty in distinguishing between fact and fiction. Dr. Meyer A. Zeligs found his character "completely improbable"; to David Cort, a classmate at Columbia College and colleague at *Life*, Chambers was "a master mountebank," "a repellent actor"; and those who have read Matthew Josephson's account in *Infidel in the Temple* (1967, pp. 174-180) of an encounter with the man might well conclude that Chambers was paranoid.

Like right-wing "anti-Communist" demagogues, a section of the American intellectual community, made up of what Allen Weinstein has characterized as the "penitential liberals," has long felt a compulsion to keep the lid on the Hiss case by way of maintaining a kind of vested interest in the "Hiss is guilty" position they took at the time of the trials. The list of "inquisitors," as Allen Weinstein, the Smith College historian, calls them in *American Studies*, 6,2 (Great Britain), is long and includes Leslie Fiedler, Murray Kempton, Lionel Trilling, David Riesman, Arthur Schlesinger, Jr., Philip Rahv, William Phillips, James Wechsler, Meyer Schapiro, Sidney Hook and Dwight Macdonald.

Given the new atmosphere created by the disgrace of Nixon, it should now be possible to focus media and public attention on a critically important aspect of the case. What follows is a brief specification of the key facts:

(*1*) In *Six Crises* Nixon wrotes as follows:

> On December 13, 1948, FBI agents found the typewriter. On that same day I appeared before the Grand Jury with the microfilms. . . . On December 15, the last critical day, an expert from the FBI typed exact copies of the incriminating documents on the old Woodstock machine and had them flown up to New York as exhibits for members of the Grand Jury to see.

December 15 was "the last critical day" because the term of the Grand Jury expired on that date. It was on the 15th that an indictment was returned, although the jurors had previously voted not to indict.

(*2*) On April 7, 1962, shortly after Nixon's book was published, Fred J. Cook called attention (see *The Nation* of that date) to the fact that Nixon had made a rather startling statement, namely, that it was the FBI that had found the typewriter. On April 14, Nixon's office issued a statement saying that reference to the FBI having found the typewriter was based on "erroneous news stories." But Cook was quick to point out (*The Nation*, May 12, 1962) that Nixon had *also* said that an expert had typed exact copies of the incriminating documents which had been flown to the Grand Jury in the final hours of its deliberations. This part of the Nixon statement had not been repudiated.

(*3*) The famous Woodstock typewriter was then found in turn by the Hiss defense, on April 16, 1949, and under rather extraordinary circumstances (see Cook: "The Ghost of a Typewriter," *The Nation*, May 12, 1962). After a series of interviews and on-again-off-again appointments, Donald Hiss had been led to the typewriter by Raymond (Mike) Catlett, who claimed to have found it. But curiously enough Tony Smith had reported in the Scripps-Howard papers on December 13, 1948—note the date in relation to the Grand Jury hearings—that "House investigators have found the typewriter." This was *four months* before Donald Hiss found it. Also curious is the fact that Walter Winchell, an intimate of J. Edgar Hoover, reported on December 8, 1948, on "unimpeachable authority," that the scientific laboratory of the FBI had cracked the Hiss case. The typewriter, he reported, on which the secret espionage documents had been typed, had been *"identified"*—his word. Later, in a formal report dated December 31, 1951, HUAC commended the FBI for having discovered "the *location* of the typewriter" (my emphasis).

(*4*) Finally, we have the fact that in the Watergate tapes Nixon boasted to associates that with the aid of two "stupid but tenacious" investigators he had found the typewriter. More recently, on March 12, 1975, Peter Irons reported in *The Real Paper* (Boston) that a former "top level" FBI official—a man with thirty years of service in the agency—had told him "the FBI did have the typewriter" before it was found by Donald Hiss. From the context, this unnamed source might well be William Sullivan.

The FBI has denied that it ever had *possession* of the machine. But this leaves several questions unanswered. Did it *find* the machine? If so, when and where and under what circumstances? Had its scientific laboratory "identified" the machine on which the documents had been typed? If so, how, when and where had this identification been made? In short, if the FBI never had possession of the machine, did its agents have access to it? Since the integrity of the FBI and Justice Department is at stake, the record should be clarified. Nixon has been known to lie, but even so it is hard to believe that the man who engineered the indictment of Hiss could have been mistaken about such an important fact as who found the typewriter. Or that, years later and after his attention had been called to the earlier statement, he should again repeat a variation of the same claim.

Under the circumstances Hiss should be entitled to examine—as press and public are entitled to know—just what Nixon told the Grand Jury in his desperate effort, at the last critical day, to secure the indictment of Hiss. Grand Jury records are supposed to be kept secret, but exceptions have been noted. If a person has "waived" secrecy by publicly discussing his testimony, his actual testimony before the Grand Jury can be disclosed. In this instance Nixon has waived the right to have his testimony kept secret by publicly discussing it. The doctrine of waiver has special relevance in this instance because Nixon was not merely another witness. He was the prosecution's star witness before a Grand Jury which had declined to indict Hiss before he testified. Moreover, his later statements, when he was Vice President and later President, contributed notably to the creation of an atmosphere in which it was difficult for Hiss to win a reconsideration of the facts. If the "penitential liberals" are so sure of the



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correctness of their position, why should they not join in an effort to obtain release of Nixon's testimony before the Grand Jury?

Today certain aspects of the case against Hiss take on a new significance in view of what the public now knows about the character of Richard Nixon. To Nixon it was politically imperative that Hiss be indicted; his future as a rising young politician was at stake. And the record shows that he did everything in his power to force the indictment, as by staging HUAC hearings and issuing statements that were calculated to force the Grand Jury to take action against Hiss. In December 1948, Nixon was desperate, as was Chambers. On November 2, President Truman had been re-elected, a fact which must have come as a shock to the two conspirators. Chambers had reason to fear that he might now be indicted, the more so since the Hiss case had been used against the Democrats in the campaign. It was during this immediate post-election period, November 5 to 17, when the taking of his deposition in the civil suit had been postponed, that he began to rummage about in odd places for papers, microfilm, etc., which had not been provided by him earlier. But Nixon came to the rescue. Again and again, he hammered home the point that Chambers was *the* witness, really the only witness, against Hiss and that to indict him would automatically exonerate Hiss and "the others."

It was the Hiss case, as historians have noted, that "revolutionized public opinion" and galvanized the forces that waged the domestic cold war. In view of his Watergate record, can it be seriously questioned that Nixon was quite capable of stacking the cards against Hiss in the testimony he gave to the Grand Jury? Or that his testimony may well have contained statements contrary to fact? And in view of what we have learned about the role of the FBI in political prosecutions, is it not likely that the agency may well have deliberately refrained from taking possession of the typewriter, if only to be in a position to deny that it had ever done so?

In the meantime, the case against Hiss continues to be undermined by each new disclosure. The Justice Department has until the middle of November to submit the remaining materials on the case to the scholars seeking access to them and to provide an index of those portions not disclosed. The FBI has been most reluctant to identify "an extremely sensitive source"—to quote from an affidavit offered by the agency—"who presently continues to furnish highly valuable information of a counterespionage nature." This unidentified source was an informer in both the Hiss and Rosenberg cases. Also the FBI has received "urgent requests" from persons involved in both cases not to disclose their identities as informers. The anxiety of these informers, and the FBI's concern for them, is further evidence that strenuous last-minute efforts will be made to withhold some of the materials still in possession of the FBI. But it is too late; the credibility of the FBI is itself too frayed to sustain the burden of any withholding of significant evidence.

The public has a much better appreciation today than in the past of the character of Richard Nixon. At the same time, it has had an education in the ways of the FBI and the uses made of political trials. Hence it should insist on "maximum possible disclosure" in the Hiss case—including Nixon's testimony before the Grand Jury.

*Carey McWilliams*

THE BURGER DRIFT

# Undermining Adversary Justice

**STUART A. SCHEINGOLD**

Some years ago Warren E. Burger participated in a discussion on American criminal justice held at the Center for the Study of Democratic Institutions at Santa Barbara, Calif. That discussion was reported in *The Center Magazine* and subsequently reprinted in a book, *The Establishment and All That* (1970), but drew little attention, since Judge Burger was at the time a relatively obscure member of the U.S. Court of Appeals in Washington, D.C. The report takes on new importance in view of his appointment as Chief Justice of the United States and the criminal justice decisions of the Burger Court.

Justice Burger was the first Nixon appointee and his appointment was seen by most observers as part of the new President's efforts to redeem his law-and-order campaign pledges. It was expected that the Burger Court would curb some of the pronounced tendencies of the Warren Court to extend the rights of the accused in criminal proceedings and, by and large, that is precisely what happened. On the other hand, there are some areas in which the Burger Court has broken new ground on behalf of defendants. What the Center report provides is a profoundly disturbing explanation for both the limitations and the ostensible new protections afforded to defendants by the present Court.

During the discussion, Judge Burger challenged the whole conception of adversary justice as it is practiced in America. "The system is certainly inefficient and wasteful. I am not sure it is the best that could be devised." More specifically, Judge Burger attacked the most basic rights accorded to the accused:

—*The Right to Remain Silent*. "I am no longer sure that the Fifth Amendment concept, in its present form and as presently applied and interpreted, has all the validity attributed to it. . . . But whenever I discuss this with some of my colleagues they are horrified. They conjure up images of the rack and the screw. I am not talking about police of-

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ficers forcing accused persons to answer questions in a police station. . . . I am talking about requiring a defendant to testify in a modern courtroom, in the presence of a neutral judge, with his lawyer present."

—*The Presumption of Innocence.* "I heard one Supreme Court Justice say in a seminar that the presumption of innocence is 'rooted in the Constitution.' Well, it may be rooted there, but you cannot find it there."

—*Juries.* "You can try a case without a jury in one day that would take a week or two weeks with a jury."

—*Lawyers.* "We have eager and extraordinarily bright young men going into criminal law. They make every motion in the book. It is good to have them, and there have been a lot of good effects from them. But there is also the tendency of defense lawyers today to make a 'federal case' out of every trial."

—*Appellate Courts and the Supreme Court.* They have followed a logical path in their concern for the rights of individuals, "but when you get to the end of the road and look back, often you find you have arrived at a place you hadn't intended at all."

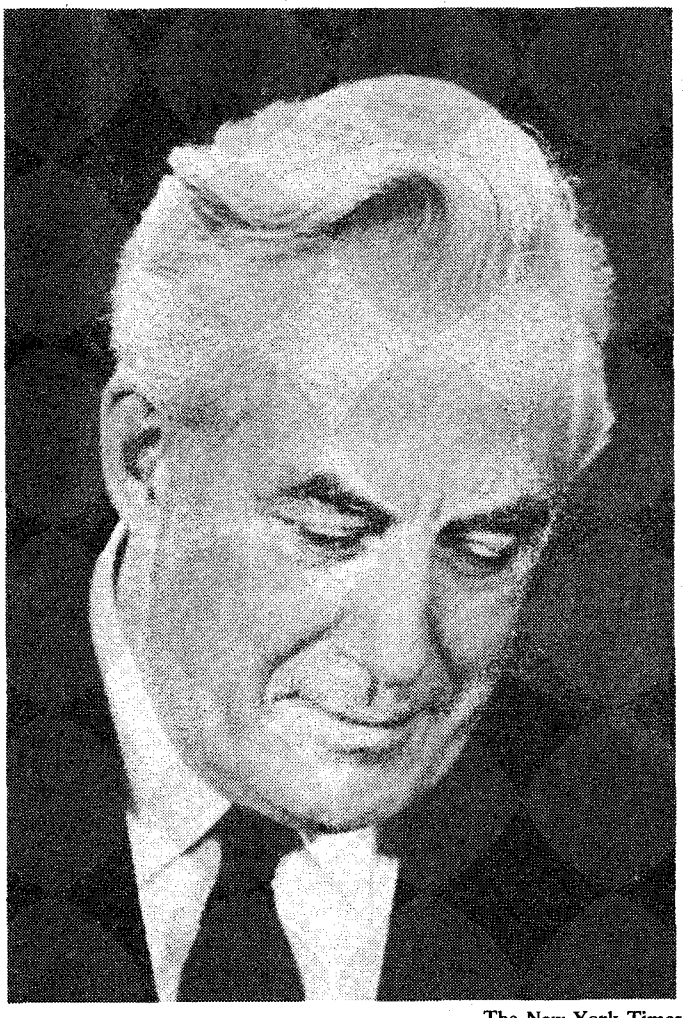
—*The Exclusionary Rule.* This rule excludes evidence which has been obtained by illegal means, and Judge Burger noted the difficulty of explaining to Europeans how we can justify exclusion of reliable evidence. "If we cannot explain our system satisfactorily to enlightened people, perhaps we should re-examine some of its fundamentals."

Obviously the Burger critique is directed at the heart of the adversary system, and his acknowledged purpose is to call attention to the benefits of inquisitorial justice as practiced in northern Europe and to Britain's less contentious version of adversary justice. Judge Burger was searching for a way of producing "fair, humane and efficient" justice and argued for a movement toward European models. So much for Judge Burger's diagnosis. What about Chief Justice Burger's treatment?

The major thrust of Burger Court case law has run against the grain of civil liberties. The parade of cases in which the beleaguered remnants of the Warren Court majority—Douglas, Brennan and Marshall—have found themselves on the losing side provides persuasive evidence of the tendency of the Burger majority to confine or reduce the rights of the accused. This Court has been particularly hard on the Fifth Amendment right against self-incrimination and on the closely related protection of the Fourth Amendment against unreasonable searches and seizures.

Evidence obtained in an illegal interrogation can, as the result of an early Burger Court decision, be introduced into the trial if the accused decides to take the stand to testify in his own behalf. The justification for this decision amounts to an exercise in sophistry that cannot conceal the damage done to the self-incrimination provisions of the Fifth Amendment. Inadmissible evidence, the majority decided, could not be applied directly to the determination of guilt or innocence, but it *could* be presented to the jury to help ascertain the credibility of the defendant who chose to testify.

The Fourth Amendment protection against warrantless searches has also been severely compromised by recent decisions. These decisions strongly suggest that whenever an arrest is lawful—even for a traffic violation—a full search is permissible. The result is, of course, that the police are largely free to use a traffic violation as a pretext for a search, and whatever evidence is turned up by that search can be used against the defendant—an opportunity likely to be of particular importance in narcotics cases. Such dragnet procedures would go a long way toward undermining whatever vitality may be left in the presumption of innocence, traditionally so integral a part of adversary justice in the United States.



*Chief Justice Burger* The New York Times

But contrary to the worst fears of many civil libertarians, the Burger Court has not pursued a hard-line anti-defendant course of interpretation. The judgments of the Warren Court have not been systematically rolled back. Indeed, the right to counsel has been extended beyond the limits specified by the Warren Court. No longer is that right limited to felony cases. Counsel must now be provided in any trial which could lead to imprisonment. The Burger Court, in addition, waded into the plea-bargaining morass in an effort to provide at least a modicum of dignity to that unseemly process. It ruled that when the prosecutor makes a promise to a defendant in return for his plea of guilty, that promise must be kept. If it is not kept, the courts stand ready to invalidate the subsequent judicial proceedings. Attention has also been given to the Sixth Amendment's guarantee of a speedy trial, with the Court holding that federal judges must either provide a speedy trial or release the defendant. Finally, the Burger Court looked into the matter of judicial impartiality and decided that a mayor



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who counts on the revenue from traffic violations to provide a major portion of his budget cannot constitutionally sit as the judge in traffic court.

What are we to make of the mixed bag of decisions contracting and extending the rights of defendants? The bad news to some extent speaks for itself, but it would be a mistake to think of these law-and-order tendencies as no more than the familiar ebb and flow of civil liberties in America. Taken together with the more liberal judgments and seen in light of Judge Burger's commentary on criminal justice at the Center for the Study of Democratic Institutions, their message may be that we are in the process of doing away with adversary justice. While Judge Burger indicated at Santa Barbara that he would deliberately exaggerate his position in order to evoke a challenging response from his fellow discussants, the record of the Burger Court reveals a marked inquisitorial drift. Accordingly, even the decisions which seem favorable to the defendants take on ominous overtones.

Protecting the plea bargain and insuring a speedy trial can be seen as two sides of the same nonadversarial coin. The more plea bargains that are struck, the easier it is to assure a speedy trial to those few who resist them. In taking on the responsibility for monitoring the plea-bargaining system, the Supreme Court tends *ipso facto* to legitimate the "administration" of justice—"justice without trial." That Justice Burger's preferences run in this direction was made clear at the Center: "If the system of criminal justice is working right, at least 90 per cent of the people charged with criminal acts are probably guilty of something *even if not necessarily the particular act charged*—because in such a system the prosecutor does his work honestly. He is not going around indicting people just for the fun of it." (Italics added.)

And what about the trial standards? While counsel is to be provided more generously, clearly the grounds for "making a federal case" out of trial errors is being reduced. Decisions mentioned above reveal a tendency to reject appeals based on the claims of illegal practice, so long as these practices have not prejudiced the factual accuracy of the trial. But as Judge Burger indicated in the Center discussion, the adversary system has traditionally rested on legal guilt rather than factual guilt, i.e., the burden is placed on the state to prove guilt in a lawful manner. The Burger majority has also ruled in favor of less-than-unanimous jury verdicts, against the charge that jury unanimity has been one of the principal practical safeguards of the presumption of innocence.

Taken together, all these judgments suggest that the Burger Court is blurring the distinction between prosecution and trial by providing administrative safeguards for the plea bargain while shaping the trial itself into something of an administrative hearing.

It may be true, as Judge Burger contended, that inquisitorial proceedings are capable of providing "fair, humane and efficient" justice. All that is clear to me, however, is that the inquisitorial option will be more efficient. All of those inconveniences that Judge Burger denounced were included in our system of criminal justice in part to redress the balance between the power of the state and the relative impotence of the individual defendant and, in part, because as we all know, the framers believed that those with power were all too likely to abuse it. As Prof. David Fellman has cogently put it, "Our system of criminal justice rests upon the recognition of the fact that the contest in a criminal case is between parties of vastly unequal strength. . . . Contemporary government is so powerful that legal safeguards are needed to protect the weaker party, since we know that inequality begets injustice."

Moreover, if we are going to abandon adversary justice, or even "modify" its "excesses" and "rough edges," it should be done openly rather than in a covert and piecemeal fashion. When President Nixon came to office, he promised us, among other benefits, a Supreme Court that would adhere to a strict construction of the U.S. Constitution. Whatever may be meant by strict construction of that manifestly ambiguous document, it surely cannot include judicial nullification of adversary justice in the United States. □

# Spanish Prisoner: An Interview

**DAVID ROSENTHAL**

*Barcelona*

Amid tears and rejoicing, nine Spaniards stepped forth a few weeks ago from the jails where they had spent the last nine months. Their case had already been reported, though incompletely and somewhat inaccurately, in the international press. Now, with their release, we can get a clearer idea of what really happened to them.

Everything began on September 13, 1974, when a bomb exploded in a cafeteria next to the Madrid police headquarters. The blast killed twelve people and wounded seventy others. During the next few days, some 300 Spaniards were rounded up by the police and questioned. Of these, nineteen were sent to jail. None of the nineteen, however, was officially charged with setting off the bomb. Instead, they were accused of maintaining secret hideouts in their apartments—hideouts which were to be used by the ETA, the Basque liberation movement. Their accusers were Spain's secret political-social police, the *Brigada Politico-Social,* or BPS.

Fifteen of the nineteen put in prison remained there for the next nine months. The early stories in the Spanish press simply assumed, without question, that they were all accomplices in the explosion. Then, for a long time, there was absolute silence—until mid-June of 1975, when the terrorism charges were dropped against eleven of them.

*David Rosenthal is completing a book on the cultural and political situation in Catalonia. He has lived in Barcelona for the past two years.*



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Four prisoners were released outright, five were let go on bail, and the others are gradually emerging from jail. Three are still eligible for the death penalty: Genoveva Forest, Maria Luz Fernandez and José Antonio Garmendia Artola. Another, Antonio Duran, has been charged in connection with Carrero Blanco's assassination.

The following interview, held on July 2, is with Eliseo Bayo, one of those recently released on bail. Bayo, at the age of 35, has already written ten books and is perhaps Spain's most distinguished social journalist. His most recent work, *What Spaniards Live from and Why They Don't Die*, is a mordant study of poverty, profiteering and government corruption. His wife, Lidia Falcon, also among those arrested, is a lawyer and a feminist author. The interview, which took place in Barcelona a few days after their release, sheds light both on their personal ordeal and on Spain's confused and uncertain regime:

*How did it all begin?* Completely unexpectedly. I was in my house one afternoon in September, working on a series of essays I was writing about Spanish economics. Lidia was at her office seeing clients. The police came and took us all away, including our children, Regina and Carlos. Carlos was let go when we got to the Barcelona police headquarters, but Lidia, Regina and I were all taken to the general security headquarters in Madrid.

*In the foreign press reports it appeared that you'd been tortured. Was this so?* We weren't really tortured; we were "interrogated." They beat us. They made us walk on our knees. I was kicked and punched and insulted. The same thing happened to Lidia, but she'd been ill beforehand, so the effects were more severe. She had to spend some weeks in the prison hospital recovering. It was the same thing that always happens when the BPS arrests you.

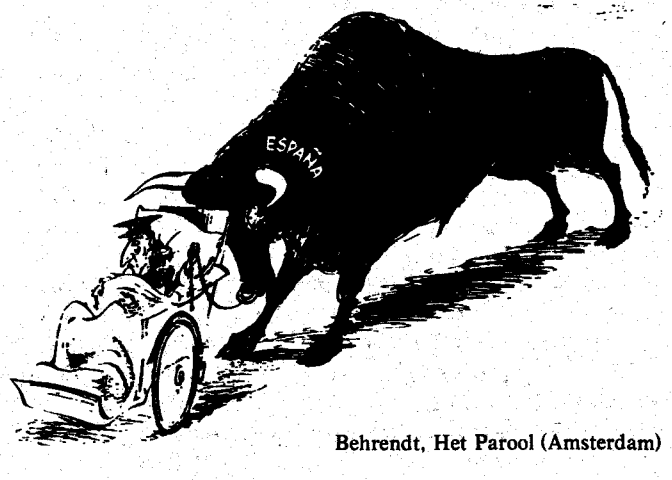
*Can you tell me anything else about it?* It's not something I'm eager to talk about. What happened to us is what happens to everybody. It's humiliating and infuriating. But we weren't tortured. Just beaten and abused.

*And why do you think they arrested you?* I still don't know. They said we had a hideout in our apartment, what they called a "people's jail." But the "hideout" was just an empty closet in a hallway. And right from the beginning the government must have known we were innocent. But the BPS had already organized a huge press and television campaign. Our pictures appeared everywhere. On television they showed us right after films of the wounded in hospitals. At first, when they showed our pictures, they even said we were the ones who'd set off the bomb. Everything was done to imply that we were all cold-blooded murderers. It was the BPS who acted on their own account. The embarrassing thing for the government was that against most of us, they had absolutely no evidence.

*So does that mean they intended to release you?* At the time we certainly didn't think so. Regina was let go three days after our arrest, but Lidia and I were moved to two Madrid jails: Carabanchel for men and Yeserias for women. And there we stayed for nine months. Nothing more was said in the newspapers. I guess the government was trying to figure out what to do with us. Then, in January, they fired Sainz, the chief of the BPS. A few days later his press assistant, the man who'd orchestrated the whole original press campaign, resigned. At the same time support was coming from outside Spain: from Senator Kennedy, from a group of professors in the United States, from the President of Sweden, from Amnesty International, the Nobel Peace Prize Committee and feminist groups. To all of them, of course, we're very grateful. They made it impossible for the government to simply forget about us. There was also pressure inside Spain, particularly on the part of underground political parties and groups of workers and intellectuals. All these things played a part.

*Did you know when you were going to be tried?* No. Our trial was supposed to take place in the special military courts—the ones that deal only with acts of war and terrorism, and which give sentences of thirty years to execution. When Sainz was fired we were hopeful. But months passed with no further change. Then, in June, the military courts rejected eleven of the cases. They didn't want the responsibility of trying fifteen people, against eleven of whom there wasn't a scrap of evidence. The case was handed over to the Courts of Public Order. This meant that the terrorism charges were automatically dropped, since terrorism can be dealt with only in the military courts.

*And what are you charged with now?* With illegal association. But it's very vague. No specific party is named. The indictment just reads that we were persons working together for a goal. Four of us were released outright. Really, the only reason they thought up the illegal association charge was in order not to let us all go free. The whole affair put the government in a very awkward position. So far, five of us are out on bail. And of course we're anxious to see the remaining prisoners, against whom they have no more evidence than against us, go free too. The charges



Behrendt, Het Parool (Amsterdam)

we're being tried on now carry penalties of six months to six years.

*How do you feel, now that you're out?* Naturally, we're overjoyed. But nine months is a long time. You lose contact with the outside world. It's like being in a hospital. At first your memories are fresh, but gradually they fade and the world shrinks to the place where you're being kept. Spain has no special law on political prisoners, but over the years, through hunger strikes, beatings and months of solitary confinement, we've managed to wring a number of concessions from the authorities. We had books and typewriters in jail and were able to continue our work. I wrote a novel, a play and a book of poems, plus various studies of industrialization in Spain. Lidia wrote a novel too, as



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well as a feminist manifesto, some essays on the condition of women and the prologue to the French edition of one of her books, *Letters to a Spanish Idiot.* Alfonso Sastre, another of those arrested, wrote a play and a book of poems. And one of us, Vicente Sainz de la Pena, even did a series of oil paintings.

*It sounds like a school of fine arts. I don't understand how all this could take place in a Spanish prison.* A lot depends on the specific people in the administration. Many younger officials are quite progressive and open-minded. They want to be professionals, not part of a system of political repression. What *we* want, of course, is not just better treatment of political prisoners but more humane treatment of all prisoners, and a democratic system of justice.

*What are your professional prospects like right now?* Very black. Lidia was carrying more than sixty cases when she went in. Of those sixty, only two or three are left. Her office was closed for nine months. I've lost my own contacts. The magazines I used to write for are now afraid to publish my stuff. One magazine said they'd run some articles of mine, but only if I didn't sign my name to them. They're not afraid of the government, but they *are* afraid of the BPS, and the BPS is angry. While I was in jail, one publishing house canceled the contract it had given me for a novel.

It's been difficult. On a personal level, people have been splendid. We've had visits from neighbors, some of whom we hardly knew before we were arrested. When we came back from Madrid we found the house full of flowers from our friends. But we're broke. And exhausted, both mentally and physically. It's like being caught in a well for nine months, struggling to climb out—and all for nothing, just to get to where you were before. If we'd actually *done* something, it would be different. But all the international campaigns and petitions, the worry and the wasted months in jail, were just to prove what was obvious in the first place, even to the police. □

NEW YORK'S SATELLITE PARTIES

# THE POLITICS OF PRESSURE

**ROBERT KAREN**

A specter haunts New York politics. Through the tortuous fortunes of party affairs one man has walked unscathed for almost forty years. Neither Nelson Rockefeller nor big city bosses rival his reign. His image—that of a soft and patient Jewish grandfather; an explainer, a teacher, an innocent and humble adviser—belies his years as a tough Mafia-battling union leader who carried a pistol and for several months slept in a different hotel room every night.

Alex Rose owns something that a lot of people want. It's a line on the ballot labeled "Liberal Party." Hundreds of candidates, both Democratic and Republican, challenger and incumbent, seeking low office and high, want their names on that line and will do whatever is necessary—buy $1,000 worth of tickets to Liberal Party functions, adjust their political positions, seek the 76-year-old labor leader's advice on campaign strategy, promise jobs to Liberal Party members, forswear any attempt to undermine the party legislatively, write warm and glowing letters of praise complete with autographed photos, *anything*—to keep Alex Rose happy.

And one piece of Alex Rose's political brilliance is that he's never asked for too much. Both his personal and political demands have been modest and he's been smart enough never to accept political office—though he's had plenty of offers from mayors, governors and Presidents. As a result, he has made a finely tuned balance-of-power game pay off into an almost continuous level of influence in City Hall and Albany.

Because there's always the chance that Rose will hold the swing power in New York State, three generations of Democratic Presidents and Presidential hopefuls have treated him with courtesy and respect, inviting him to the White House for dinners and consultations, and coming to New York to accept personally his party's endorsement. It was business as usual in the spring of 1972 when the keynote speakers at the party's annual dinner were Senators Muskie, Humphrey and McGovern, the three top rivals for the Democratic nomination that year. Like the party he heads, Rose's own power base—he's president of the United Hatters, Cap and Millinery Workers—has long been in decline. But despite some smoking and squealing, his magic touch has kept the whole enterprise aloft.

Rose is the chief strategist of the Liberal Party and sometimes likes to refer to himself as its "foreign secretary." In interviews he hastily changes I's to we's, but everyone knows that he is in complete charge. The general perception of politicians of both major parties in the state is that Rose, and Rose alone, can deliver the Liberal nomination, and he and he alone is courted by them. Over the years he's developed an entourage of important Democratic and Republican politicians with whom he has worked along the way and who can be counted upon to guard his interests. Even those he's crossed or damaged do not engage him. Bella Abzug, whose feud with the Liberals goes back to their founding days and who was opposed by them in her bitter 1972 Congressional election, will not speak against the party today. She gets its endorsement now and prefers to leave well enough alone—even though Rose may try to veto her 1976 Senatorial bid.

Within the party Rose is venerated as a genius. Outside

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the party the awe he inspires sometimes borders on paranoia. His enemies credit him with everything from the entry of Robert Kennedy into New York politics (actually he and Kennedy did not get along) to the emergence of Hugh Carey as the winning Democratic gubernatorial candidate in 1974 (an accreditation that Rose unhesitantly accepts). And like a real master, he is always at play.

"Alex is a great orchestrator," says former Deputy Mayor Richard Aurelio. "He believes in the Grand Strategy—one that unfolds little by little, and is all highly organized, highly developed and very sophisticated. I think it sometimes gets a little pompous and contrived, but he's managed to razzle-dazzle the press and the public with it and I think he's brilliant. He'd say things like, 'Today we'll be in the *Post*, tomorrow the *Times*'—and he's always had these people in the press like [*New York Post* editorial page editor] James Wechsler to echo his theories and thoughts.

All the same, Alex Rose is not a household word in New York. He has shrewdly eschewed publicity and as a result has never been the target of public abuse. The party, too, has kept a low profile, content to let the average voter think of it as some moderately Left, good-government group. But among the state's politicians and political activists, Rose and his party are a major concern, sometimes a fixation.

In the context of two-party politics the little Liberal machine is a guerrilla band—efficiently small, disciplined and able to strike on its own terms. The classical Liberal strategy is to support Democrats in exchange for leverage. But mixing the modes of attack gives the best results: in 1965 it backed Republican mayoral candidate John Lindsay and, in return for giving him liberal credentials and a winning margin, was rewarded with jobs and influence in the administration. In 1969 Lindsay was repudiated by his party; the Liberals ran him up the middle between two right-wing Italians and had a whole mayor of their own. Then there's the 1966 spoiler technique—when you run your own candidate, not to win but to punish the Democrats.

The 1966 campaign, in which Rose, demonstrating at various times his rare combination of ruthlessness, cunning and charm, ran Franklin Delano Roosevelt, Jr. for governor, is a casebook in third-party strategy. Roosevelt's candidacy, still a subject of bitter speculation in the state, destroyed the chances of Democrat Frank O'Connor in a year when the defeat of Rockefeller, the incumbent, seemed certain. To this day no one can say for sure why Rose did it or whether Rockefeller made any explicit promises. But the move paid off bountifully:

—By undermining O'Connor, Rose kept a potentially vengeful Democratic administration (it had been only a few months since the Lindsay victory) out of office and reminded the party once again that it could not afford to treat the Liberals impolitely. Today, speaking of a deal he believes the Democratic county leaders made to back O'Connor, Rose says: "They came to us and said take it or leave it. They wouldn't give us a chance to recommend a number of other candidates. They were committed to their deal and they were so cocksure that this was their year that they almost enjoyed saying no to us. But they found out that we were able to bring about their defeat."

—By running FDR, Jr.—still popular despite his association with Dominican dictator Trujillo—Rose built his biggest statewide vote (more than half a million) and retained his party's grip on Row C, the third position on the ballot and the spot coveted by the new Conservative Party.

—Throughout the remaining Rockefeller years no one was able to put through legislation in Albany that would have crippled the vulnerable third party, a fact which Rocky bragged of in a 1970 meeting with Liberal Party leaders. Rose denies there was a deal, but that did not prevent the Governor from being grateful. Real pros do not have to talk in order to communicate.

When the dust had settled, Rose followed through with his legendary aplomb, showing up at O'Connor's City Hall office shortly after the election and modestly requesting an audience. "He struck me as a really cool, calm, collected operator," says Jim O'Donnell, O'Connor's press aide at the time. "He was not somebody who would indulge in personalities if he could avoid it—he could still come and talk to O'Connor and find some grounds. Of course, in some people's judgment that may have taken an awful lot of chutzpa—that's what I felt at the time frankly." Today, O'Connor is a Queens County Supreme Court judge, elected with Liberal Party backing.

The story of how a minor labor leader heading a tiny third party rose to bedevil the biggest guns in New York State politics begins, oddly enough, with New York's permissive election law that allows parties to cross-endorse one another's candidates. Fifty thousand votes in a gubernatorial election earn a party an automatic place on the ballot. It can then dispense with the grueling and sometimes prohibitive task of collecting thousands of signatures for each candidate it runs. Although third parties in the state have always put up a number of their own people, especially in local elections, cross-endorsing a major party candidate assures them a position of relevance in the political world of the average voter. This in turn enables them to influence the selection of major party candidates, to obtain patronage rewards for their cadres and, most important, to get enough votes to keep their place on the ballot. What this type of operation amounts to is not so much an independent movement as a "satellite party"—a minor addition within the orbit of the two-party system. Rose's achievement was to create from the potential for satellite politics in New York State a marvel of political engineering.

In 1936, when the New Deal was killing off third-party movements almost everywhere in the United States, Rose was one of a group of Socialists and trade unionists in New York that formed the American Labor Party. They wanted to use their endorsement of Roosevelt as a means of pushing him to the Left, and at the same time to offer voters a vehicle, other than the corrupt Democratic machine, to support FDR and other Left-liberal politicians.

"What we did," Rose explains, "is introduce the principle of collective bargaining into politics—we negotiated with the major parties for high quality candidates." The Communist Party quickly perceived the power of this device and within a few years had infiltrated and dominated the new organ. In 1944 many of the original



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founders, including Rose, pushed off and founded the Liberal Party.

In the Roosevelt era the third parties were more than just a line on the ballot. "In those days," recalls Gus Tyler, intellectual leader of the International Ladies' Garment Workers' Union (ILGWU), a long-time bulwark of the Liberal Party, "the Liberal clubs were very real things. You had arguments, debates, you ran candidates, you wanted socialism—it was like the old Socialist clubs. There were discussion meetings, hikes and outings, a youth group—the whole bit."

Both parties were charged with a genuine excitement and an outpouring of volunteer workers. Vito Marcantonio, an early though more radical Bella Abzug, was the worshiped ALP Congressman from Italian East Harlem. Frequently criticized for following the Communist Party line, Marcantonio had actually started in politics as a Republican, later became a protégé of La Guardia, whose campaigns he managed, and in the end was squeezed out of office by a change in the election law which both parties pushed through to kill his career. The new legislation, which lost him the Democratic line, prevented him or anyone else from entering another party's primary without Democratic permission. That law, along with the abolition of proportional representation in New York City, was one of the few successful attempts to muffle the impact of third parties in this state, whose courts as early as 1896 had ruled unconstitutional a law abolishing cross-endorsements.

The Liberal Party peaked later than the ALP, hitting its stride in 1951 when Rudolph Halley, the widely liked chief counsel to Estes Kefauver, won an upset Liberal victory for City Council president. In the wave of enthusiasm that accompanied the Halley campaign, a 16-year-old City College freshman named Henry Stern joined the now-defunct Young Liberals. Today, City Councilman Stern is the only elected Liberal official in the state, apart from judges.

The decline was rapid, both parties succumbing to postwar know-nothingism. The ALP, which had gone down to defeat with Henry Wallace in 1948, was doomed by its Communist-front status. In 1954 it slipped to 47,000 votes and was finished. The Liberals, though favoring moderation in all things and advocating a mixed, welfare-state economy, also seemed to be falling apart. The party's base had been the old Jewish Left and the garment trades. The old men who played pinochle in the clubhouses, the visionary union leaders, the election-day cadres were part of a dying era.

And yet this party survived. Vice Chairman Rose, the nuts and bolts man, the politico, the strategist, the foreign secretary, was the natural power at a time when the people who represented the intellectual and moral vitality of the organization were dying off, abandoning left-wing causes, busy making money, or retiring to Miami. And so Rose presided over the party's survival. In the process he transformed a dying shell into the most efficient political operation in the state.

Rose's basic strategy was simple. The party could still count on a quarter-million votes statewide. As long as they never dipped below 50,000 the show could go on. Though practically none of its voters identified with the party or would lift a finger for it, the votes themselves were power. And in election after election Rose knew how to use that power to the Liberals' advantage. Gradually, talk of disbanding the skeletal party was dropped.

Few other parties have had such a stable leadership. Like Rose, Executive Director Ben Davidson has held his position since the beginning. David Dubinsky, the long-time president of the ILGWU, remained vice chairman and a key power in the party until 1966, when he was replaced by his successor at the ILGWU, Louis Stulberg. The one shifting position in the leadership has been the figurehead role of state chairman, in all cases a Christian intellectual, sometimes mockingly referred to as the *Shabbas goy*. The current chairman is Rev. Donald Harrington of New York's Community Church. Unencumbered by a huge contentious membership, the top men, particularly Rose and Dubinsky, had a free hand and could set the party's course with rare precision. It was a unique development in American politics.

There were certain key victories. In 1951, it was Halley. In 1952 they ran their own man, George S. Counts, for U.S. Senate. Counts polled about half a million votes, causing the defeat of the Democrat, John Cashmore ("He was nothing but a hack," says Rose, "it was an insult to put him on the same ticket with Adlai Stevenson"). In 1954 Rose claims to have played a key role in the behind-the-scenes maneuverings that replaced front-running Franklin D. Roosevelt, Jr. with Averell Harriman as the Democratic candidate for governor. Harriman's winning margin that year was in Liberal Party votes. "If anyone were to ask Governor Harriman today who made him Governor," says Rose, "he would tell you unhesitantly that we did."

Always, a campaign or a candidate came along to rejuvenate the party. In 1961 Rose and pollster friend Lou Harris masterminded the "Fighting Bob" Wagner re-election campaign in which Wagner turned against the Democratic "bosses" who had put him in power and were now threatening to take him out, and ran as a virgin reformer against his own two-term record. Lindsay's early popularity on the Left was such that in 1968 the party's enrollment increased for the first time in the decade.

Other Republicans like Sen. Jacob Javits or Atty. Gen. Louis Lefkowitz, and a number of local candidates like Manhattan state Sen. Roy Goodman, the only Republican elected official in the borough, have played important roles. Like Lindsay, Goodman may eventually emerge as a Republican-Liberal mayoral candidate, the Liberal endorsement being crucial to overcome the Republican label in the city and to add a glimmer of the old fusionist ideal that brought La Guardia to power.

But there were sour notes in all of this. Throughout the city local party activity was becoming a charade. The Liberal organization in Harlem, for example, was a genuine effort launched in the late 1940s to fill a vacuum left by the Democratic Party. It was gradually undermined in the 1950s by the party leaders, who made more and more deals over the heads of their local activists, thereby destroying the credibility of what people they still had in the field.

"I was the beneficiary of one of those deals between the Liberal Party and [Manhattan Democratic boss] Carmine



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De Sapio," recalls Charles Kinsolving, an East Side Assembly candidate in 1954. "The party people took me in and grilled me on eighty-two different questions—but I subsequently found out that it made no difference how I answered because they'd already made a deal to support all sixteen Manhattan Democrats in return for one judge.

"Around that time," Kinsolving continues, "someone died and left a magnificent old brick house on Park Avenue to the Ninth Assembly District Liberal Party Club. It turned out there was no one there to accept the gift. The party got 3,000 votes in that A.D. but they didn't have any members. Their district leader, who had an accommodation address with a janitor in the area, really lived in the Bronx."

By the late 1960s, the ILGWU and most of the party's intellectual following had abandoned it. The party was still able to draw up detailed position papers, but as the real membership was honed down to the small leadership cabal with a group of officeholders and their families beholden to it, the actual program was limited more and more to wheeling and dealing.

"In later years," says Tyler, "Rose spent very little time discussing issues, *any* issues. . . . He was fundamentally interested in the structure of politics and the manipulation of the political system—he loved it, *loved* it. If you look over the files, you'll always find Rose talking to some member of the press, comparing some recent maneuver of his to a chess move—and that's the best way to think of Alex, he loved the *game*."

In 1949 the reform movement was launched in New York City to try to wrest control of the Democratic Party from the discredited Mafia-ridden machine, only recently reasserting itself after twelve years of eclipse by La Guardia. The Reform Democrats were not an ideological movement in which people argued for hours over how goods and services would be distributed in the 21st century. These were humanists with their feet in the Establishment world of mid-20th-century business and affairs. They had no greater vision than the democratization of the Democratic Party and the weeding out of corruption in local government.

The reformers struggled in the dark for more than ten years before emerging in Manhattan as a significant leftward thrust within the party. By the late 1960s the movement was a major force throughout the city and was the camping grounds for some of the most radical elements in or out of the Democratic Party. It had become *the* place to be on the Left in New York. Who now knew anything about Stalinists, Trotskyists, Bundists, or millinery workers? Who played pinochle? Most of the young reformers had never even heard of the legendary Vito Marcantonio; a good many wouldn't know Norman Thomas from Dylan Thomas. It was a new day, with new causes, new purposes, new everything.

And yet, there was the Liberal Party, with its geriatric political machine, alive and kicking. Less Jewish, shorn of its ideology and pinochle players, but still able to deliver votes, still headed by the Old Hatter and, worst of all from the point of view of the new leftists, still a major influence in the Democratic Party. Here is a typical comment from Russ Hemenway, a long-time reform strategist: "It's a misnomer to even call it a party. Everyone who is a member of that party is sucking at the public tit. It's Alex Rose's little instrument. Donald Harrington, Henry Stern—they're complete tools of Alex Rose. We at times have tried to get the candidates, particularly on the West Side, to disavow the Liberal Party, to disavow the endorsement—because what does it mean in terms of votes?—*nothing*—but when push came to shove everyone wanted as much support as they could get. What it comes down to is this: Alex Rose *sells* the endorsement. He just sits back and peddles it. It's his hobby. He could collect stamps, but he'd rather collect judges. And there's never been anyone better at it."

The Liberal Party will no doubt continue to wield influence in New York State after age retires its founding father, but it will not be as influential, or as interesting. Though others, like Dubinsky, have been important, Alex Rose has made this party the unusual phenomenon that it is. It's one thing to have a party, and it's another to have a tight little machine with a quarter of a million votes to hawk. But it's something else again to have a master playing the boards.

Alex Rose's personal qualities—his cunning, his credibility, his stature among reporters and editors, his caution in never forcing anything upon his members that they could not swallow, his gentle inscrutability, his mastery of the behind-the-scenes maneuver which has conditioned people to believe that he can pull off almost anything—these have been the party's greatest assets. And although many of his detractors do not realize it, Rose believes in himself and everything he's done.

"Alex has never committed any of the *great* acts of arrogance," says Tyler. "I've been around and I've seen decent guys ruined by all the flattery and bullshit that gets heaped on them. But Alex is a philosopher. He'd never let himself get carried away by what he might begin to think about himself. He belongs to that class in politics known as 'the professionals.' He doesn't hold grudges. He would never say, 'We opposed Hugh Carey for Congress and now we're going to oppose him for Governor and—what's more—*we're going to defeat him*!' No, Alex is not that kind of schmuck. And look what happens. When Hugh Carey finally becomes Governor, the Liberal Party is right there with him."

In dealing with politicians, Rose is a patient man who never takes off the kid gloves to reveal the brass knuckles. Forever talking in moral terms, he rides his power with the care and respect of a Rolls chauffeur. He's not the sort of man you'd expect to find in the corridors of 1970s politics. Ancient, Yiddish-accented and devoid of the currently popular *Realpolitik* braggadocio, his presence is disarming.

"Despite the rap he takes about being interested in jobs, he does have a deep interest in good-government issues," says Aurelio, "and you hear him talking a lot about preventing the city from getting into the hands of the underworld. You try to tell him, Alex, the city is nowhere near that, but he stands on these highly moral pedestal issues. *The Bosses* is another one of his things. He's always talking about defeating the bosses. It may seem unreal to you and me, but he gets a lot of satisfaction in knowing



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that his voice on behalf of these principles carries weight.

"I wouldn't say that he was cranky, but he would bitch if he wasn't consulted. His big argument when we tried to get him to take Lindsay the second time around was that Lindsay didn't consult with him enough in the first administration. The man has a great sense of the formalities and courtesies in politics. He was upset that someone didn't get him enough tickets for Lindsay's second inaugural and so he didn't show up."

The biggest problem that Rose poses to any sitting executive is a grinding insistence on jobs, jobs, jobs,—the sustaining fluid without which the Liberal Party would instantly crumble and die. In recent years the press has made much of Liberal Party patronage and Rose is furious about these stories, insisting that they are outlandishly exaggerated. Nevertheless, with Lindsay owing his second term to the Liberal endorsement, it was often said that "every Liberal in the state had a job in the Lindsay administration."

Three successive deputy mayors under Lindsay were assigned to deal with Alex Rose and each of these relationships turned sour over jobs. Robert Price, who once calculated that more than 50 per cent of his time was spent on Alex Rose's problems, lasted only about a year. Then came Robert Sweet.

"And when I came in," says Aurelio, "I was supposed to be his savior. We worked very well the first year together, but it finally caught up with me too. Part of every meeting with Alex Rose was devoted to certain people who were looking for jobs. It became a very boring, trying relationship. Sometimes I dillied and dallied and screwed around, because he would never accept the fact that some of his candidates were really outrageous. I managed to keep enough things going for him so that he felt reasonably satisfied, but there came a point when he felt we were not producing."

No one has been able to figure out the exact extent of Liberal Party patronage in the Lindsay years; accounts vary widely, too, on the abilities of the Liberal appointees. There was a time, even after its decline, when the party attracted educated people with a genuine interest in good government, and they became better than average public servants. Even today Liberal job holders on the whole may be a superior lot. But many have been criticized for never making a move without first consulting the real boss.

Since the only real political function of Liberal appointees and candidates is to perform minor party chores like collecting signatures, to donate and raise cash for the party coffers, and otherwise to do as they're told, the party has not always been extremely selective in its haste to fill slots. The process of tossing around warm bodies has produced some unexpected results. One was the nomination in 1969 of a young man from Oklahoma City, Eldon Clingan, for City Councilman-at-large from Manhattan. No one in the party thought that Clingan had a chance; but then Lindsay lost the Republican primary and, running on the Liberal line alone, ended up carrying several Liberal candidates for City Council into office with him. Clingan was suddenly the new minority leader of the council and, being a more independent spirit than anyone suspected, began to give the party leadership trouble. As council-watcher Gary Sperling of the reformist Citizens Union puts it, "Eldon smarted at being told what to do." His charges of bossism in the party were an ongoing embarrassment.

Another Liberal councilman elected that year was Charles Taylor from Harlem. After the election Taylor was nowhere to be found. Never having given any thought to winning, Taylor moved to Maryland and was brought back only after much coaxing.

The only publicized example of severe intra-party strife concerned J. Stanley Shaw, a Queens lawyer whom Rose installed as county chairman. An ambitious man, Shaw didn't like the way headquarters ran the show and, in retaliation, joined a fledgling rump movement called Liberals for a New Politics which soon had control of the Liberal county committees in both Queens and Staten Island. Again, this was more of an embarrassment than a threat since Rose still controlled the executive committee.

In 1962 a group of New York State reactionaries who felt that the Republican Party, as personified by its statewide leaders—Governor Rockefeller and Senators Javits and Kenneth Keating—had gone far astray of right-wing principles, decided that they too could play the Liberal game—suburban style. According to William F. Buckley, "the idea had been kicking around for several years," but it took two young lawyers, Kieran O'Doherty and Daniel Mahoney, to put the Conservative apparatus together. The party was organized with the stated intention of being a counterweight to the Liberals—a satellite party whose main concern was to push the Republicans to the right. Few people took the Conservatives seriously at first, but they quickly proved that the Liberals had no monopoly on making third-party hay in New York State. Latching on to key issues like the proposed police Civilian Review Board in New York City, abortion reform, tax increases and the abolition of the death penalty, they were able in each successive election to double their statewide vote until, in 1970, they pulled an enormous coup, electing Buckley's brother James to the U.S. Senate on their own line in a three-way race. Shortly thereafter O'Doherty was named by Nixon to the Foreign Claims Settlement Commission.

While both parties today are about equal in strength, the Conservatives are internally more democratic and much less accommodating when striking deals—their insistence on ideological purity from the candidates they support has generated a lot of Republican hostility. The Conservatives are also far more issue-oriented than the Liberals—a fact which has earned them grudging admiration from people on the Left.

With the Conservatives peddling their wares so effectively on the Right, Alex Rose—once described by an aide as capable of selling a straw hat to an Eskimo—is bound to find his product subject to closer scrutiny from the Left. Is the Liberal Party, after all, anything more than a straw hat on the New York State ballot? The chief arguments against this party cannot be refuted. It is undemocratic. It represents no real segment of the body politic other than some ambitious office seekers. It doesn't stand for much. When Rose got together with Rockefeller behind the stillborn "fusion" mayoral candidacy of Robert Wagner in 1973, he never looked more the interloper and opportunist.



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Over the years the Liberals have stuck their necks out on a number of issues from the St. Lawrence power grab—in which they fought effectively for public ownership—to the Forest Hills housing project, in which they supported, less successfully, the original plan for minority dwellings. Their occasional elected officials, like Henry Stern, are not beholden to the Democratic machine and can therefore speak out on issues which most of their Democratic colleagues have ignored. (This includes Reform Democrats, who are tempted to "go along" for the sake of their careers.) Some of their appointees, like former Deputy Mayor Ed Morrisson, the man most likely to succeed Rose, have been more than adequate. Liberals can usually be counted upon to take the right stand on and, frequently, to help lobby for good-government issues. Behind the scenes, Rose has been able to support some worthwhile policies.

"At times I find them to be whores, just going after the main chance," says Gary Sperling, who lobbies for reform legislation in City Hall and Albany. "But I'm grateful for the other times. I prefer our system because it really adds options. I'm not saying the Liberal Party adds much in the way of new ideas—which is what they say—but they do add pressure points. And especially if you're a reformer, you need all the pressure points you can get."

But is this good enough? Do we have the right to expect more from a third-party movement on the Left? The question becomes increasingly important as the public's attachment to the two major parties weakens and its attraction for independent operators like Ralph Nader and outsider politicians like Illinois Gov. Dan Walker grows. At some point in the near future an independent third party of the Populist or Socialist variety—either one that emerges as a long-range alternative or one that lives only long enough to see its radical proposals co-opted—may be possible. When that happens, the Liberal Party will just be in the way.

Says Tyler, "Using the party, Alex was able to give the appearance of accomplishing a great deal. But if you ask what legislation did the Liberal Party get passed, it always boils down to the claim that the party represented a balance of power for Roosevelt, a balance of power for Harriman, a balance of power for La Guardia—so whatever came from them was an accomplishment of the party. But you could also argue that they were very *unsuccessful*—except in one sense, that they perpetuated the party for many years. And in the number of stories they got that spoke about the effective leadership of Alex Rose." □

WHO OWNS THE SIDE ARMS?

# The Demography of Gun Control

**JAMES D. WRIGHT**

The United States is almost the only advanced industrial nation that does not effectively regulate the private ownership of weapons. One consequence is that the civilian population of this country is far and away the most heavily armed in history. The lowest available estimate of the number of guns in private hands is 90 million (this figure supplied by the National Commission on the Causes and Prevention of Violence, or NCCPV). Other estimates range upward from 200 million. A further consequence, mentioned by the NCCPV, is that "personal injury and death from crime occur more often in the United States than in any other industrial nation of the world."

The ironic aspect of the failure here of attempts at gun control is that public opinion has long supported stricter controls on private weaponry. A review of poll evidence on the topic by Hazel Erskine (in the *Public Opinion Quarterly;* Fall, 1972) reveals that "the vast majority of Americans have favored some kind of action for the control of civilian firearms at least as long as modern polling has been in existence." The question thus arises: Why have pro-control efforts met with repeated failures in the face of immense public support?

Rep. Michael J. Harrington ("The Politics of Gun Control," *The Nation*, January 12, 1974) rightfully argues that the gun lobby—financed primarily by the arms manufacturers and spearheaded by the National Rifle Association—is the main obstacle to change. The resources which this lobby can bring to bear against pro-control forces are awesome: the NRA itself has "assets of $19 million and an annual budget of almost $8 million," much of it used to support sympathetic candidates for office. It claims many prominent national, state and local figures among its membership of about a million. "Despite these varied and impressive trappings of power, the most formidable source of the gun lobby's clout lies in its grass-roots following—those million NRA members, 21 million hunters and an estimated 60 million American households which have guns." According to Harrington, this following is readily mobilized, when pro-control legislation is being considered, to pour a torrent of anti-control letters on Congress. Further, the grass roots can be called upon to punish politicians such as Joseph Tydings who support stricter controls.

One implication that can be readily drawn from Representative Harrington's analysis is that, sooner or later, the pro-control forces will have to come to grips with the character of the gun lobby's grass-roots following—especially its mass base among the 60 million or so families who possess a firearm. And on this score, Harrington has relatively little to say. He assumes that the "real resistance" comes from "bedrock Americans"—the working and lower-middle classes. The "cosmopolitan" upper-middle class, on the other hand, is said to see control as "the plainest common sense." Out there in Middle America the

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possession of a firearm is an integral part of life; gun control is thus perceived as just "another symptom of encroachment by a new culture." Following these themes, he also advises gun-control advocates to "understand the regional dimensions of the gun issue." In support of this admonition, Harrington mentions that "an amazing 59 per cent of individuals in the South own a gun." In regions where "rural influences are more pronounced"—the South, the Midwest, the Far West—"firearms are basic to the environment." One final assumption made in the analysis is that fear of crime and violence is a major factor in the private ownership of weapons. "Millions of citizens," it is argued, "genuinely fear their neighborhood streets after dark." These citizens own guns as a means of "fighting back." The portrait of the gun owner which eventually emerges is that of a rural-oriented Middle American who is nervous about crime and who keeps a weapon around the house as a hedge against a fearful and uncertain future. Harrington concludes, "these are the people who have to be convinced; then progress in gun control would very likely follow."

There is much that is valuable in this analysis, especially the plea that gun-control advocates "should proceed with respect and empathy for the concerns which motivate the grass-roots opposition." But there is also a fair amount that is somewhat misleading. In particular, the character of the opposition is distorted. Or so I believe from evidence provided by a nationally representative sample survey conducted by the National Opinion Research Center in the spring of 1973 and currently being analyzed at the Social and Demographic Research Institute at the University of Massachusetts. The survey in question is the most recent in a series of national studies going back to 1959 which contain a question on gun ownership. From responses to this question it is possible to get a fairly detailed empirical portrait of the kinds of people who own guns and who therefore constitute the "formidable" mass base for the gun lobby.

It can be anticipated at the outset that there will be some hesitance in pro-control circles to accept this evidence as valid or to adjust tactics and strategies accordingly. Harrington himself has noted the apparent contradiction between the poll evidence showing sizable majorities in support of stricter gun controls and the "avalanche of grass-roots sentiment" which cascades down upon the Congress whenever a gun-control measure is being debated. For this, Harrington has a simple answer: "voters are not telling Dr. Gallup everything he ought to know." An alternative possibility is that the people *are* telling the pollsters all that it is necessary to know, and that gun-control advocates would do well to listen.

The NORC survey asked, "Do you happen to have in your home or garage any guns or revolvers?" The proportion saying yes was 47 per cent—approximately half—and comparable data from Gallup polls going back to 1959 suggest that this proportion has been approximately constant for the last fifteen years, despite the common assumption that there has been a recent "drastic build-up" of civilian armament. It should also be mentioned, however, that the incidence of pistol ownership has increased over the period by about ten points. As of 1973, about 42 per cent of the gun owners, or about 20 per cent of the population at large admits to possessing a sidearm.

The first point to note is that any legislation which immediately opposes the habits of fully half the population will be rather difficult to enact, especially when that half is backed up by a lobby as potent as the NRA. These 60 million or so families impose direct limits on what can or cannot be accomplished with respect to stricter gun control. In a democratic society, it could hardly be otherwise. At the same time, it would be a tactical mistake to misread the nature of this potential opposition, to provoke it unnecessarily through the advocacy of measures which it regards as wholly unacceptable, or to forgo by default any progressive change it might tolerate. It would be foolhardy, in short, to proceed without an understanding of who these people are and why they choose to own guns.

A later question in the same NORC survey asked respondents whether they would "favor or oppose a law which would require a person to obtain a police permit before he or she could buy a gun." Confirming the poll evidence mentioned earlier, this question also shows that the popular sentiment for stricter gun controls is pronounced: about three-quarters of the respondents said they would favor such legislation. To be sure, requiring a police permit in this manner is a relatively "weak" gun-control measure, and "stronger" measures would no doubt elicit less popular favor. At the same time, even a weak measure such as this one would be a clear improvement on what we have now, and if poll evidence is to be believed, such a measure should be relatively simple to enact. Other progressive efforts have succeeded with far less popular support.

Of course, there would appear to be an initial *prima facie* contradiction in evidence which shows half the population owning a gun and three-quarters favoring stricter gun controls. But in truth there is no real contradiction at all; rather, there is a simple implication that at least half of the gun owners must favor gun controls. Additional analysis of the survey confirms this implication. Among gun owners, about 64 per cent said they would favor the legislation mentioned above; even among pistol owners, the pro-control majority was 59 percent. Nonowners, to be sure, register even higher levels of approval, in this case running to 85 per cent. A clear majority of gun owners and almost all the nonowners would support at least this relatively weak gun-control measure.

My response to this evidence is that gun owners should be seen as a potentially vast and heretofore untapped constituency for gun control. The replies amount to an affirmation of Harrington's point, that "these people are decent and law-abiding." Assuming that is so, the gun lobby and the NRA probably do *not* accurately represent the policy preferences of most of the people who own guns. (Whether the NRA represents the views of the minority of gun owners who are its members is another question. Additional evidence to be presented later suggests that it probably does.) Thus, immobility in the face of the gun lobby and its "formidable" grass-roots support is probably unwarranted. Every reasonable step should be taken to enlist the pro-control majority among owners into the gun-control campaign, and every conceivable effort made to avoid alienating them by promoting legislation or adopting tactics which they cannot, in good conscience,



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accept. One immediate task is to determine just how far the pro-control majority is willing to go—what measures it would live with and which would be rejected. The advance toward gun control would then be immeasurably aided were the pro-control forces to stay within the limits set by such an inquiry. This might mean that the goals currently being sought by some gun-control advocates would have to be forsworn—for example, an outright ban on the private ownership of weapons. But it might also mean that some progressive legislation, however modest, might actually be effected. And that would be a welcome progress beyond what the pro-control forces have so far been able to accomplish.

One characteristic of the gun-owning public which Harrington's account accurately depicts is that owners are primarily rural and Southern. According to the NORC evidence, about 62 per cent of families in the South own a gun, somewhat higher than the 59 per cent figure cited earlier. This compares with 40 per cent ownership outside the South. Similarly, nearly two-thirds of the residents of rural areas own a gun, compared to about 30 per cent of people who live in cities of 250,000 and up. Thus, it is clearly important that the "regional dimensions" of the problem be understood. Understood, but not exaggerated. Even in the white South—indeed, even among gun owners in the white South—there is considerable support for stricter gun-control legislation. To drive home this point, I have separated out the white Southerners included in the NORC sample who said they owned a gun. All told, there were 243 of them, and slightly more than three-fifths said they favored the gun-control legislation mentioned earlier! The mere fact that guns are part of the "Southern way of life" does not prevent a sizable majority of gun owners there from supporting moderate efforts in behalf of control. And among the minority of white Southerners who do not own a gun, the sentiment for gun control is even higher. Of this group, just above 80 per cent said they would favor that legislation.

Although gun owners are disproportionately located in small towns and rural areas and in the South, most of the social problems involving guns—the fears and anxieties about crime, for example—are primarily urban phenomena. Thus, gun ownership in the cities and suburbs is a far more complex issue. Most of the rural and Southern weaponry is no doubt directed against relatively innocuous targets—snakes, squirrels, empty beer cans, and the like. In the cities, the sporting uses to which guns can be put are minimal; there, guns are more likely to be owned for "protection." To provide a more detailed picture of the urban gun owner, respondents in the NORC study who lived in cities of a quarter-million or more or in the surrounding suburbs were subjected to a special analysis, with the focus on fears of and reactions to crime and similar urban degradations.

Some of this analysis produced results which are consistent with conventional notions. For example, one question asked whether "the courts around here deal too harshly or not harshly enough with criminals." Among urban and suburban whites who felt that the courts were "not harsh enough," about 41 per cent said they owned a gun and more than a fifth owned a pistol. In contrast, only 13 per cent of those who thought the courts were too harsh owned any kind of gun. Very similar results were obtained on a question asking whether "too little, too much, or about the right amount" of money was being spent for welfare: 43 per cent of those saying "too much" owned a gun, 21 per cent a handgun. From this evidence, one might initially infer that those who are "at the front" of urban decay are literally arming themselves for the impending "showdown."

The questions mentioned above, however, ask about attitudes, not about actual experiences. And questions along these latter lines showed something of an opposite picture. One question, for example, asked whether there is "any area right around here where you would be afraid to walk alone at night?" Persons saying yes were less likely to own a gun than persons saying no. Then there were two questions on criminal victimization: whether the respondent's house had been broken into in the last year, and whether the respondent had experienced in the last year a stickup, mugging, or personal threat. And here again, persons who had actually had these experiences were less likely to own a gun than those who had not. Finally, respondents were asked whether there are "any Negroes living in this neighborhood now," and following the pattern, people living in integrated neighborhoods were less likely to own a gun than those whose neighborhoods were all white.

What sense can be made of those results? My interpretation is that the anticipation of crime is far more likely to lead to the ownership of a weapon than actual experience with crime itself. People who are truly nervous about crime and related matters, those who are hostile toward welfare and punitive toward criminals, those who do not actually live among blacks but perhaps fear that some day they might—these people see having a gun around the house as a reasonable response to their fears for the future. People who have actually experienced crime, a burglary or a mugging, for example, would more readily understand the futility of owning a gun as a preventive measure. To do so in the vast majority of cases would only give the thieves another item to steal.

Again, it can be asked what tactical implications should be drawn from this evidence? First, advocates of gun control should try to understand, as well as possible, the actual relationship between crime and weapons ownership. That those who expect to get mugged are more frequent possessors of guns than those who actually have been certainly does not make the gun-control effort any easier; rather, it more clearly delineates the magnitude and fundamental nature of the problem. Some progress might be made, however, if people with the experiences of crime could be persuaded to talk to people with the fears; that would probably not reduce the fears very much, but it might convince some of the fearful that their guns are not going to be a feasible solution. Here, the suggested tactic would be to mobilize the criminally victimized who support stricter gun controls. An active and well-organized constituency of this sort would do far more to dissipate the "self-defense" argument than impassioned pleas by gun-control advocates or statistics on what Harrington calls the "proven impracticality and ineffectuality" of private armament as a solution to personal crime. A second implication, drawn also by Harrington, is that we are not going to solve the gun problem until we solve the crime problem. And this in turn suggests that any



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Los Angeles Times

*Senate Bans "Saturday Night Special"—News Item*

gun-control legislation be imbedded in a national crime prevention program, as part and parcel of a wholesale attack on the crime and violence now pervasive throughout American society.

If all that has been said so far is true, then how does one account for that "grass-roots sentiment" which the gun lobby so readily mobilizes whenever a state or national legislature is considering a gun-control bill? Where do all those letters come from, if not from gun owners themselves? Does that flood of mail not suggest that I have placed unjustified confidence in the things people are willing to tell survey interviewers? The evidence presented here, however, is by no means inconsistent with the frequent outpouring of "popular support" against gun-control measures. After all, 60 million families possess a firearm. The appearance of massive popular sentiment can be easily created by mobilizing a tiny fraction of that group. Congressmen count their anti-control letters in terms of thousands—12,000 letters here, 1,400 letters there, 2,000 letters somewhere else. In absolute numbers, it is a lot of mail, but as a percentage of the people who own guns, it represents an infinitesimal fraction. Presumably, the Congressmen know this, but as Harrington says, they "may well feel they have ample reason to interpret those thousands of letters as being fairly representative of their constituents' convictions." An alternative possibility, given what we know about the characteristics of people who write letters to Congressmen, is that the "avalanche" is grossly *un*representative of the underlying grass-roots sentiments, that the opinions being expressed are those of a small but well-organized and politically active minority. This brings us to one final and highly important aspect of the survey analysis: that, quite contrary to the common depiction, the people who own guns tend to be affluent white Protestants, not "bedrock America," as Harrington suggests.

The evidence on this point is clear-cut and fairly compelling. Outside the South, the most heavily armed segment of the nation are white Protestants with annual incomes of $20,000 or more. More than three-quarters of this group own at least one weapon, and nearly a third own a pistol. This three-quarters figure might be contrasted with the "amazing" three-fifths who own guns in the South. If three-fifths is amazing, three-quarters can only be astounding. Another useful contrast is with the "opposite" group—the non-Protestants at the bottom of the income scale. This group would include most of the white "ethnic" workers who have figured so prominently in liberal alarms about the direction of American politics. Among non-Protestants with incomes less than $10,000 a year, the NORC survey shows that only 21 per cent even own a gun, a meager 6 per cent owning a pistol. (Again, the figures are for non-South whites only.) Essentially the same results are obtained when the analysis is restricted to urban and suburban whites. About half of the most affluent respondents in the category own a gun, about a fifth own a pistol. The comparable figures for nonaffluent persons (incomes under $5,000) are 10 per cent and 6 per cent respectively. And here too, the white Protestants are quite distinct: half of them own a gun, a quarter own a pistol. For urban and suburban Catholics, the figures are 25 per cent and 10 per cent. So in the cities and suburbs, as in the nation at large, it is the affluent white Protestant upper-middle class which is the heaviest possessor of private weapons.

Since the tendency to own a gun is related to, though not identical with, opposing gun control, it can be anticipated that the opposition to gun control will have this same social class basis, and here again analysis of the NORC survey confirms the point. Predictably, the most pronounced support for gun control comes from non-Protestants who don't own guns. Among them, pro-control sentiment surpasses 90 per cent. Whether they own guns or not, and regardless of their class standing, in fact, non-Protestants tend to favor gun controls. As an example, I separated out non-Protestants with incomes of $15,000 a year. More than three-fifths of the gun owners in this group said they would favor the gun-control legislation mentioned earlier. Correlatively, opposition to that legislation is most pronounced among Protestants, especially white Protestant gun owners at the upper income ranges. In fact, a very detailed analysis revealed only one significant group outside the South where the majority opposed even this modest gun-control law: this was white Protestant pistol owners with incomes of $15,000 or more a year.

This latter group, while not large numerically (there were only thirty-eight of them in a survey of more than 15,000 people), is no doubt the key element in the "grass-roots" opposition to gun control—the true NRA cadres who are readily mobilized when pro-control legislation is being considered. It can be expected, for example, that the actual membership of the NRA is drawn primarily from this group. Moreover, the group contains a disproportionate share of citizens who are regularly active



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in political participation and uncommonly skilled in the arts of influence and persuasion. Thus, their effect on the policy process is far greater than their actual numbers would suggest, a point to which the history of gun-control legislation in this country amply attests. And it is their opposition specificially, not the largely illusory opposition of "the people" or even of gun owners in general, that will have to be overcome before a successful gun-control campaign can be mounted.

Could the well-to-do Protestant gun owners be enlisted in the gun-control effort? It seems somewhat unlikely: they are probably "true believers" in the right to possess weapons. To this presumably "cosmopolitan" group, gun control does not appear to be "the plainest common sense." The evidence, however, says relatively little about why they are true believers, or what their genuine motives are, and some additional inquiry along these lines might be beneficial. Assuming that they probably could not be enlisted, steps might at least be taken to assure that they are not needlessly alienated. If it happens, for example, that their true motives are fear of crime (as suggested by evidence presented earlier), an educational campaign focusing on the relative uselessness of weapons as a defense against crime might do the most to minimize the hostility to any controls. If on the other hand their motives derive primarily from that notorious clause in the Bill of Rights, it might be useful to emphasize exactly what that clause does and does not guarantee. And if all they are interested in protecting is their right to hunt, target shoot and otherwise engage in gun-related sports, then it might be wise to devise gun-control legislation that clearly and specifically protects this right.

In any case, the best that can be hoped for is that they will lie dormant while the necessary changes are enacted. Given their social characteristics, political resources and degree of organization, they represent far and away the greatest single barrier to gun control. Clearly, this barrier will not disappear simply by wishing it away. Their opposition probably cannot be reversed, and it will only be defeated by a pro-control program of equal sophistication. Certainly, there is little to be gained by minimizing this opposition or by failing to appreciate its character and dimensions. At the same time, it would be counter-productive to embark on strategies that do little but insult what they see as their legitimate concerns.

The "other side" to the class dimension of the gun-control issue is that "bedrock America"—the working and lower-middle classes—probably represents the potentially most fruitful "target" for the pro-control appeal. The evidence indicates, for example, that it might be worthwhile to approach the organizations of the "bottom half" of the society—specifically, the unions and maybe even the Catholic Church—as potential allies. Is it really possible that these "reactionary" organizations would support progressive weapons legislation? There is no way to know until somebody tries. At the least, the expressed preference of the grass-roots clientele of both organizations would seem to lie in this direction.

One final tactical suggestion is that the evidence presented here be brought to the attention of legislators and policy makers who must eventually decide on the gun-control issue. The emphasis should be on the misleading character of the anti-control mail and on the true dimensions of popular support. Let them know that the bulk of this mail comes from affluent, pistol-packing Protestants, not from their "constituents" and not even from a representative portion of the people who own guns. Would public policy continue to follow the preferences of this small, unrepresentative minority? That, to borrow one final phrase from Representative Harrington, would truly be "one of the greatest tragedies which can befall a democracy." There is, of course, no guarantee that this knowledge would have any influence on the legislators' decisions. Again, all that can be done is mount the campaign and see what results. But clearly, such an effort is well worth attempting. Those 23,000 people who will otherwise be accidentally shot next year, not to mention the 8,000 who will intentionally be shot to death, will no doubt be grateful. □

'REAL RUGGED KIDS'

# NEW HERMITS OF THE ROCKIES

**IVAN GOLDMAN**

*Ward, Colo.*

This is a place of anonymity, separation. The mountains between Boulder and the Continental Divide provide sanctuary to introverted longhairs—winners and losers of old campaigns they no longer discuss. They aren't given to talking much to anyone, really.

"About all you get out of these people is their first names," observed a local deputy sheriff.

The old question: What happened to the radicals of the 1960s? Some of them are here. They aren't in communes, not in the old, chic sense of the term. And they aren't cushioned, neurotic dropouts fighting the good fight in urban America either. Instead, they are learning to live on this rugged plateau more than 9,000 feet high, where winters are long and harsh, but forested beauty is everywhere.

The cabins dotting these towering peaks were very much in when Woodstocking was in vogue. But it was a seasonal trend. Most of the new freak residents weren't up to facing the Rocky Mountain winters, which they discovered to be harsh, unpredictable killers. But some of the early arrivals learned to make the transition, to live within the climate's

*Ivan Goldman, a former staff writer for* The Denver Post, *is now writing a novel.*



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rules, perhaps even to cherish them along with the topography.

Ward is an old, ramshackle, former mining town along the Peak-to-Peak Highway. It is now inhabited almost exclusively by longhairs, about 200 in all. They are the Mayor, the city council, the volunteer fire department. Distrustful of outsiders, in their own fashion they have adapted quickly to the closed ways of the world's mountain peoples.

"We don't want to become something that tourists come to look at," said a wary employee of the town's only grocery store. "We just want to be left alone."

To do what? He wasn't saying. It was his right. His creed.

The hermit clan has spilled into the surrounding towns—Jamestown, Gold Hill, Eldora, Nederland, Rollinsville—a loose, sparsely populated commonwealth of about 600 square miles. Cabins in the towns—with electricity and plumbing—don't come cheaply. About $200 a month for one or two bedrooms. Cabins not served by roads, away from towns, rent for nearly nothing. In most cases they have no utilities, not even wells.

Two cabins beside Duck Lake, along the road that is impassable more than half the year, rent in tandem for $50 a month. In these cabins, it was rumored, Patty Hearst spent the winter. FBI and local officers said they found no substance to the reports, but of course they couldn't disprove them either.

*Newsweek*, citing no proof, claimed that Tania and many other big-time radicals—Eldridge Cleaver, Bernardine Dohrn, Angela Davis—all have stayed at various times at the Duck Lake refuge. A safe haven for fugitives, *Newsweek* said. Perhaps.

The Duck Lake cabins lie at the base of a cliff, are overwhelmingly picturesque when seen from a distance, next to the frozen mountain lake. The buildings have no running water, no electricity; throughout the winter, tenants must carry supplies in by backpack over a snow-covered trail of more than a mile.

"Yeah, these are real rugged kids up here," said the deputy. "We have a lot of them living that way around here." The deputy, it should be pointed out, didn't want to be named because he feared retribution. The kids up here scare him.

I found the trail and headed to the cabins. Along the trail I met one of two young women now living at the refuge. They both go by the name of Carol. She was about 25, tough, unafraid, taking supplies in by backpack. It looked like between 40 and 60 pounds of groceries.

"This Patty Hearst thing is all a bunch of bullshit," she said. "Look, the reason we live up here is to get away from this kind of stuff." She asked me to leave the property, which was posted, and I left. The deputy had warned me that the Carols have two rifles and two shotguns that he knew about. Firearms are a way of life up here.

There is a mutual, hostile suspicion between the old-time mountain residents and the newer longhairs. Their similarities are more pronounced than their differences. But the clans haven't yet coalesced. It seems only a few years away, certainly no more than a generation.

But now: "I'll tell you, whenever anybody comes to my door at night," declared an elderly mountain man, "they're looking down the barrel of a .38."

Another old-timer told me that, through a series of bizarre circumstances, she ended up at a "hippie" homestead for dinner. She swore up and down that the meal was dog meat and rice. "When it was raw, it looked kinda like venison," she said. She didn't eat.

A friend of mine, a writer, lives up here with a woman, her two children, and his unemployment checks. They don't eat dog, are somewhat accepted by the others; but only somewhat. He hasn't tried to write about the people up here, he told me, because after a year's stay, he knows nothing about them. They are enigmas, longhaired wraiths, mysterious.

How does someone scratch out a living in this place? With difficulty. There are frosts even in summer and, except for mountain timber, little is grown. Some tourist-connected jobs exist, a little road construction, one small ski area outside of Eldora. Jobs are scarce, fought over. One local old-timer has his fun with the hippies by forcing them to cut hair and beards before he will hire them to clear trees and underbrush. A few succumb.

Many here claim to be carpenters. Some are good ones. There is poaching, there is squatting, there is all manner of barter. Among bartered items are food stamps and dope.

A couple of years ago a local member of the subculture cheated a person or persons unknown in a narcotics deal. He was tortured, stabbed sixteen times with a sharp stick.

Lawmen stress the extreme difficulty they encounter in securing any kind of information from area residents. It's the old Western code, revived with a vengeance.

Babies are born in cabins without birth certificates. Corpses are buried in fields without death certificates.

"This is an area that's a kind of haven for disaffected people," observed Capt. Phil Battany, of the Boulder County sheriff's office. "There are hundreds of little cabins around, and a lot's going on that we don't know about."

An admission that surely would bring silent pleasure to a people who make a religion of living inscrutably, almost beyond the reach of civilization. The remoteness is escape, a satisfying end for those who will seek and endure. □

## LETTERS (*Continued from page 226*)

of equal income for equal work, equal chance for access to schools with adequate equipment, are thought of merely as spiritual problems, then "equality" will indeed remain mental pie in the head. . . .

In my view, Sampson's recommendations for resolving the problem first posed by Machiavelli—the impossibility of having a common private and public morality . . . are simple-minded. The problems of economic wars of groups within states and political wars between states are not entirely "philosophical" issues to be resolved by parables. To continue to think so is indeed the way to doom.

I also take it as snobbish unkindness of Sampson to look down his academic nose at the "lower classes" grabbing "their share." . . . The problem is that all social groups have come to accept the fact that, where there is no equal distribution of resources which all groups can more or less fully accept, and live by, there will be grabbing. And unless the ruling classes see that they must work toward a new consensus, giving up some of their legalized grabbing, we shall never establish a new sense of community or nation.

*Robert J. Hall*



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# BOOKS & THE ARTS

## A Painful Case

DOROTHY RICHARDSON: A Critical Biography. *By John Rosenberg. Alfred A. Knopf. 192 pp. $6.95.*

**SANDRA M. GILBERT**

Since the 19th century, as literary critics and historians have often noted, the Western world has had a singular affection for artists and writers in garrets. From "marvelous" (but misunderstood) Thomas Chatterton and tubercular John Keats to bearded, beatific Allen Ginsberg and suicidal Sylvia Plath, the type of the *poète maudit*—the mad or wretched or alienated writer—has become *the* type of the poet. Where for other cultures, other eras, the artist was a representative figure, articulating "what oft was thought but ne'er so well expressed," for us the artist is a channel swimmer, struggling against the icy tides of bourgeois indifference. His reward? A shrine on the opposite shore, a place in history, the paradise of the anthologies. One poem in *The Golden Treasury*, it is said, was all Thomas Hardy asked for. "Art for art's sake" seems, often enough, to have meant "art for eternity's sake."

But what if, sometimes, there's no reward for being an artist in a garret? What of the swimmers—and there must be many—who never make it to the beach? The strange and painful example of Dorothy Richardson is a case in point. Though she is enshrined in literary histories as a pioneer of that epochal modern technique called "stream of consciousness," though in her lifetime she produced thirteen volumes of *Pilgrimage*, her Proustian masterpiece, and was honored for her achievement by such diverse readers as Virginia Woolf and H.G. Wells, Ford Madox Ford and John Cowper Powys, Dorothy Richardson remains to this day (as Ford himself once complained) "the most abominably unknown" modern writer. Students and teachers of literature sigh when her name is mentioned. If they have read anything of *Pilgrimage*, they've read *Pointed Roofs*, the first book—and usually read it under duress, for some course or other in "Pioneers of the Modern Novel." Yet they are almost uniformly convinced that the whole work is boring, without substance, not *about* anything except (as the historians claim) the newly discovered mechanisms of consciousness. "It is with the *dullness* of Dorothy Richardson that we must begin," wrote Leslie Fiedler in 1960. And "reading Dorothy Richardson is as esoteric an occupation as reading Mrs. Humphry Ward," a colleague of mine remarks.

It is, I presume, to correct this sorry situation that John Rosenberg has written *Dorothy Richardson: A Critical Biography*, and to a certain extent he has succeeded: at least he sent this reviewer off to the library in search of the 1967 Knopf edition of *Pilgrimage*. And that *Pilgrimage* itself is a far more haunting and charismatic "biography" of Richardson than he himself has written is a fact that can hardly be held against him. For as a biographer, Rosenberg has done his work meticulously, if somewhat unimaginatively. He has consulted letters, interviewed survivors, and drawn carefully upon *Pilgrimage* in an attempt to create a convincing portrait of the artist as a young, middle-aged and elderly woman, scrounging for a living, struggling with her writing, coping with the sad catastrophes of her parents' lives, sustaining her sickly husband, and so forth. The facts, in short, are all here, and filtered through the mind of a decent, sympathetic fellow-novelist who, luckily, does not think the woman that Horace Gregory called Dorothy-Miriam, in recognition of her closeness to *Pilgrimage*'s Miriam Henderson, is at all "dull." On the contrary, Rosenberg is fascinated by Richardson, and he reacts with a kind of puzzled irony up to her lonely, almost anonymous death in a nursing home in 1957. "Perhaps," he quotes John Cowper Powys as having written to Dorothy-Miriam, "recognition will arrive to embarrass and distract you yet. . ." and then adds a poignant understatement: "It had not happened like that."

What is weak in Rosenberg's book is the "critical" part of his critical biography. His discussions of the individual volumes of *Pilgrimage* tend to be summaries rather than analyses, and even the chapter rather portentously titled "*Pilgrimage* Evalued," fails to get at the real distinction of Richardson's work. "The book," Rosenberg decides, "for all its lyrical moments, remains bare and spare and hard, never rich and rare. It is religiously plain, as befits a Pilgrimage whose purposes, as well as aesthetic, are spiritual, so that our critical frames of reference falter a little. The book is a novel and also something more: a work with some quality like that of Bunyan, whom she greatly admired and from whom she took the title of her book." This is at least partly true, but it is not nearly satisfactory as a general statement about *Pilgrimage*.

Though I am glad that Rosenberg hasn't fallen into the trap that Powys (and Fiedler after him) fell into in characterizing *Pilgrimage* as a work written "from the abyss of the feminine sub-conscious," I would have liked some further exploration of the novel as, uniquely, a woman's book—which it surely is. It is not, I should add, a woman's book in the patronizing sense carried to an extreme by Fiedler (who declared that "where the antirational novel is not a Tale Told by an Idiot it is one told by a female"), and not a woman's book in the narrow stylistic sense suggested by Virginia Woolf (who asserted that Richardson has "invented a sentence which we might call the psychological sentence of the feminine gender"). Rather, it is a woman's book in a large and invigorating way: a *Bildungsroman* by and about a woman, one of the few female equivalents of the great accounts of their own growth and education produced by male writers like Wordsworth, Samuel Butler, James Joyce and D.H. Lawrence.

Why women have so rarely written such novels is a question Rosenberg might have explored. How Dorothy Richardson was able to produce such a work is another question he should have answered more adequately than he does. And what part *Pilgrimage*'s special nature as a female "novel of development" plays in the general critical assessment of the work's "dullness" is perhaps an even more important issue he ought to have considered. Personally, I'm inclined to suspect that it plays a very important part indeed. An inevitable aspect of Dorothy-Miriam's struggle for self-achievement in Edwardian and post-Edwardian England was the author-protagonist's qualified but intense feminism, a trait that seems to be especially fatiguing to Richardson's male critics (and until recently most of her critics have been male). When in *Pointed Roofs* Miriam has negative thoughts about men, Caesar Blake, author of one of the few full-length studies of *Pilgrimage*, comments that she is "a tiresome girl and an unpromising heroine." Later, when Miriam is bothered by the notion that "religion in the world had nothing but insults for women," Blake adds

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that "the reader can reasonably shudder at the prospect of intense, quarrelsome Miriam as a militant feminist with a program of redress for wronged womanhood!" Rosenberg would not, of course, be guilty of such responses, but by side-stepping the social issues implicit in Dorothy-Miriam's feminism, he omits much that is crucial not only in *Pilgrimage* (and in Richardson's life) but also in critical reactions to the writer's career.

What is, finally, both notable and admirable about Richardson is that, like Miriam Henderson, she did, to use her own phrase, "get free"—free of the constraints surrounding women at the turn of the century, free of the pressure to marry early and well, free of the impulse to seek security as a governess or a "certificated" teacher, free even of the entanglements of "free love" offered by H.G. Wells ("Hypo Wilson," in the novel), whose mistress she was for a time. In achieving this freedom to live her own life and write her own books on her own terms, she went beyond such distinguished precursors as the Brontës, despite the fact that the shadow of all those 19th-century teachers and governesses is cast darkly over the first three volumes of *Pilgrimage* (as Richardson herself was aware, though Rosenberg doesn't elaborate upon it). And in "getting free" of poverty, ill health, the drudgery of ten years as a dental assistant in Harley Street, Dorothy-Miriam even went beyond her famous contemporary Virginia Woolf, a woman who may not quite have realized just how much of a struggle it might be to find a "room of one's own," especially on a salary of a pound a week.

If, as Rosenberg's book suggests, the circumstances of Dorothy Richardson's life and the course of her posthumous reputation have made her case a painful one, she had at least that one triumph in her life: the triumph of "getting free," of becoming truly herself, an achievement men have always accepted as their natural right but which was long difficult, if not impossible, for women. Like Miriam Henderson, she moved into a little room of her own on the outskirts of Bloomsbury, tackily furnished but beautiful in its promise of riches to come, "half dark shadow and half brilliant light." Moving in, she was "surprised," Richardson tells us, "at her familiarity with the details of the room . . . that idea of visiting places in dreams. It was something more than that . . . all the real part of your life has a real dream in it; some of the real dream part of you coming true. You know in advance when you are really following your life. These things are familiar because reality is here." Perhaps Dorothy-Miriam's case was not so painful after all. □

# 'A Little Enterprise of Warmth and Love'

**ALVAH BESSIE**

When Stephan Heym, the German-born, anti-Nazi novelist, ended his fifteen-year exile in the United States and returned to East Berlin in 1952, his wife's exile began. It did not end until her death in that divided city in 1969. For Gertrude Gelbin, who was born in the anthracite fields of Pennsylvania and met and married Heym in New York City, remained in the German Democratic Republic. Her spiritual monument also remains in East Berlin, no more than three long blocks from the grassy mound covering the wreckage of Adolf Hitler's chancellery, in the bunker of which he committed suicide.

Ironical as it is that the ground where the chancellery stood is now called Thälmann-Platz after the Communist leader who died in Buchenwald, it is equally so that a few minutes' walk from that one-time command post of degradation and death there is a publishing house called Seven Seas, founded by Gertrude Gelbin in 1957 to publish books in English for worldwide distribution.

When the Heyms arrived in Berlin in 1952 the city was still a shambles, and as late as 1965, on both sides of the Brandenburg Gate, there were large areas off the Charlottenburger Chaussee that were no more than piles of rubble. "The 1950s were a bad time," Gertrude Gelbin wrote in 1967. "The Korean War, McCarthyism, the Smith Act imprisonments; the blacklist covering film, radio, theatre and television and publishing; the Rosenberg case, the hounding of purported atom spies, traitors, Communists, trade unionists, in a witch-hunt hysteria . . . the multiple lynchings of Negroes conducted with legal support; and Washington, D.C. but lately treated to the spectacle of a Secretary of Defense running down Sixteenth Street in his pajamas screaming, 'The Russians Are Coming!' "

The Heyms found life stimulating in still-devastated Berlin, despite shortages of food, housing and all the creature comforts they had taken for granted in the United States. They were increasingly disturbed by almost daily reports about people they had

*Alvah Bessie is a screenwriter and critic who has also published four novels, three nonfiction narratives and many short stories and essays.*


**LAWS AGAINST MARIJUANA**
**THE PRICE WE PAY**

**Arthur D. Hellman**

Under this country's present laws, it is legitimate for the police to buy marijuana, hand it to someone, and then arrest him for possessing it! Entrapment, harassment, snooping, surveillance, and illegal entry have become a greater threat to our society than widespread use of the drug, says lawyer Hellman in this reasoned call for decriminalization. Hellman cites case after case to show that our present laws against marijuana regularly lead to gross violations of the constitutional rights of American citizens.

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known at home who could no longer publish books or plays or screenplays, or work in the movies, theatre, radio and the new form, television. "More and more," Gelbin wrote, "it was a time for us of profound thought and concern for those in the field of books. Out of this came the idea of setting up a publishing house in the English language . . . that would bring out books . . . which could no longer find publication because their themes were for and about people, peace and progress. . . ."

Once the shortage of paper was alleviated, Seven Seas Books was launched as an affiliate of the German-language house, Verlag Volk und Welt. It is still affiliated with the same house, but it has always been independent in policy and administration. And it has gone far beyond the original concept of paperback books at a budget price, such as Tauchnitz used to print in Leipzig before the war. It has gone beyond the idea of making available books by American authors who could find no U.S. publishers. It has gone beyond contemporary writers into the classics of English and American literature, and German literature in translation.

In its earliest years Gertrude Heym and her American deputy, Kay Pankey, reprinted books by Albert Maltz, Abraham Polonsky, Alexander Saxton, Lars Lawrence (Philip Stevenson) and Stefan Heym's American novels. But it has also published Mark Twain, Emily Brontë, Jane Austen, George Eliot and Charles Dickens—and suffered the astonishing experience of having some of these classics stamped "Communist propaganda manufactured behind the Iron Curtain" by the U.S. Customs House.

Mark Twain also provided Seven Seas with a splendid coup and launched it into a series of books attacking apartheid and white supremacy the world over. This was the period of worldwide agitation over South Africa's policies and practices and it came about during a search for Twain's "King Leopold's Soliloquy," which the house hoped to reprint. The book seemed to have vanished, but a copy was located in the Mark Twain archives in California—and it could not be borrowed. Another copy had been in the British Museum but had been removed for safekeeping during the blitz and subsequently disappeared. A usable copy was finally located in the library of the University of Dresden—in the city that had suffered the most destructive and senseless British-American bombing of civilian populations in World War II (135,000 human beings perished in fire storms in February 1945).

From that beginning Seven Seas began a search for books written in Africa and brought to a world that still knows very little of any of these important writers: Harry Bloom's *Transvaal Episode*, Ezekiel Mphahlele's *Down Second Avenue* and Alex La Guma's novels, *And a Three-Fold Cord* and *The Stone Country*. Both these books were written when La Guma was under house arrest or in solitary confinement as a political prisoner in a South African jail.

Seven Seas has reprinted significant Australian books, including Jack Hardy's *Power Without Glory*, a splendid novel which still seems practically unknown to American readers. For that matter, so are most of these writers, all of whom are well worth reading: Dorothy Hewitt (*Bobbin Up*), Dymphna Cusak (*Say No to Death*), Xavier Herbert (*Seven Emus*), Alan Marshall (*I Can Jump Puddles*) and Katharine Susannah Prichard's short stories.

In all, the Seven Seas booklist now includes 142 titles by 113 authors and editors. Marxist writers are represented by W.E.B. Du Bois, Herbert Aptheker, T.A. Jackson, Wilfred Burchett, Alan Winnington, Christopher Caudwell, Margot Heinemann, Joris Ivens and Ivor Montagu. Lars Lawrence's *Morning, Noon & Night* and *Out of the Dust*, the first two volumes of a tetralogy called *The Seed*, have also been reprinted by Seven Seas. These novels, dealing with the plight of Mexican-American miners in New Mexico, represent a magnificent feat of the imagination.

German authors now appearing in English in Seven Seas editions include Bruno Apitz, a Buchenwald concentration camp victim who wrote the best-selling East German novel of our time: *Naked Among Wolves*. It has been seen in Europe on film and television—but remains practically unknown in this country. Among the other German writers are Bruno Frei, Johannes Becher, Willi Bredel, Walther Kauffmann and Anna Seghers, best known here for her novel, *The Seventh Cross*, which was made into a fine film.

Any attempt to describe the achievements of Seven Seas, its founder, and its present chief editor, Kay Pankey, must inevitably read like a catalogue. But a list of books that runs the gamut from Ring Lardner, Jr.'s *The Ecstasy of Owen Muir* to A.L. Morton's *A People's History of England*, and includes Kay Pankey's an-

## TOMATO PICKERS

*In the summer, when the sun baked the blacktop*
*until the tar slid out of it, when the sun*
*split the ripest tomatoes swelling in the field,*
*lolling on our shaded porches or shooting slingshots*
*as we perched in the crotches of mulberry trees,*
*we'd spot the caravan of old school busses slow up,*
*saunter off to the dusty shoulder, and stop.*
*All of the kids would shout "pickers":*
*and we'd head out through the chest-high weeds*
*swatting down the heavy cups of Queen Anne's lace*
*with willow switches, ten or so of us;*
*who would dare each other to the edge*
*of the green, tangled field already moving with*
*black-skinned men and women, bending over*
*fat tomatoes rowed in the dusty earth.*
*Someone said they carried knives on their backs.*
*I couldn't see how. One of us shouted "Niggers!"*
*We ran. The kerchiefed women hardly turned.*

*Later, after a rain, I'd go out in the field*
*looking for flint arrowheads and box turtles.*
*I'd see the pickers' footprints, bare and shoed,*
*still planted in the earth, some trod tomatoes*
*with bright pulpy seeds, a few lunchwrappers.*
*Once when I was old enough to hunt with my father,*
*we crossed the frosted field, then planted in turnips,*
*to get to a briar patch. As my father bent down*
*to root out a turnip, I remembered that an old black woman*
*had been found dead in a thicket near the field.*
*Wandered off and died. Kids found her.*
*My father pared off the purply dark skin; cut a slice.*
*The white sliver I chewed made me feel odd.*

John Balaban



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thology, *Spooks in Your Cupboard*, John Reed's *Adventures of a Young Man*, an anthology of 800 years of German poetry edited by the American poet, E. Louise Mally, Thackeray's *Snobs & Other Characters*, Whitman's prose and poetry, Arnold Zweig's *A Bit of Blood* and Bobo Uhse's novel of the Spanish Civil War, *Lieutenant Bertram*, is scarcely a catalogue: it is a roster of human experience on almost every level of activity, thought and emotion.

Seven Seas books have always been available for prices that have remained stable (unlike American book prices) since 1957: 2.85 East Marks for most titles, selling in the United States for about $1. A few longer books are priced at $1.50 to $1.95, and all generally sell in printings of 5,000 to 30,000 copies. The house's best sellers have included Du Bois, every Mark Twain title the company has reissued, Morton's *People's History of England, Divided Heaven*, a story of lovers divided by the divided city of Berlin and translated from the German of Christa Wolf; as well as the most comprehensive anthology of its type ever issued—John H. Clarke's *Harlem, U.S.A.* (including the work of Langston Hughes, James Baldwin, Ollie Harrington, Ossie Davis, Alice Childress and Elaine Hansberry).

For a small publishing house whose staff does not exceed eight full-time workers, the range of Seven Seas's interest has been extensive, spanning Korea and Vietnam, Spain and China, Lithuania and the Sorbs (a German minority of Slavic origin), Hollywood and the USSR, Latin America, Japan, the Philippines and Czechoslovakia. Its editions are sold in twenty-two countries from Burma to Bulgaria, Hong Kong to the United Arab Republic. Such scope in subject matter and distribution, as well as the firm's reputation as the best paperback house in Europe, and the prizes it has won for book design and typography, attracted the attention of *The New York Times*'s diplomatic correspondent, Max Frankel. He wrote that Seven Seas was "a little enterprise of warmth and love," and he interviewed "its inspiration and custodian," Gertrude Gelbin—whom he called throughout "Miss Gelband." In the course of a scarcely diplomatic article, in which he commented on the lady's personal appearance, her probable age, her invalidism, "her enthusiasms and sentimentalities" which he felt were "accurately expressed" in her clothing, Frankel seemed nevertheless to have been drawn into reluctant admiration for the woman and the achievements of the "most novel . . . publishing venture in the Communist world."

What Seven Seas has done in the seventeen years of its existence would be an achievement in any society. Its work has been carried on by Kay Pankey since 1967, when Gertrude Gelbin retired. She is a native of the American South and arrived in East Berlin with her husband, the distinguished concert and opera singer Aubrey Pankey, in the McCarthyite time, like the Heyms. Aubrey Pankey was killed in an automobile accident in 1971 and Gertrude Gelbin has been dead for five years now. It would be an understatement to say that the cultural life of the German Democratic Republic sustained a double loss in the death of these two expatriate Americans. But to borrow the most felicitous phrase Frankel used in his interview, the "little enterprise of warmth and love"—love of people and love of books—goes on in East Berlin. □

# How Much of a Global Shortfall?

ENERGY FOR SURVIVAL: The Alternative to Extinction. *By Wilson Clark. Anchor-Doubleday. 672 pp. $12.50.*

**ROBERT E. WALTERS**

It is no longer fashionable to write about the environment. Instead, the key word is "energy." Wilson Clark, however, manages to combine both themes. Nevertheless, energy takes the center of the stage. It is Clark's view that with the "high-energy civilization" of America, we will soon be running out of materials and energy. He paints a dismal future for the world.

Essentially Clark is attacking the old idea of progress, although he does not seem to have ever heard of it. We moderns tend to take the idea of progress for granted and assume that mankind always looked at the world as if life would necessarily improve in every way with each passing generation. As J.B. Bury has pointed out, this is a relatively new concept in the history of the world. It is not unreasonable that people should change their view of the world from time to time.

In recent years, starting with the advent of the bomb, there have been grave doubts about the assumptions involved in the idea of progress; our experience of thermonuclear war has had a tremendous impact upon our lives. It seems that this frame of mind has now evolved into a new concept of doom, since many of us could no longer believe in the idea of progress. As Jeff Nuttal says in his book, *Bomb Culture*, "The decline of the anti-bomb movement in 1962 left us stranded in the unbearable." Unfortunately, we do not view events with enough historical perspective.

Clark himself, although he gives the reader some historical background in technology, looks at events from the standpoint of the scientist or technician. He ladles out data and information by the bucketful until the reader becomes swamped with statistics. But how meaningful are these statistics? In Clark's mind they seem to have a magical effect. He passes over the doubts

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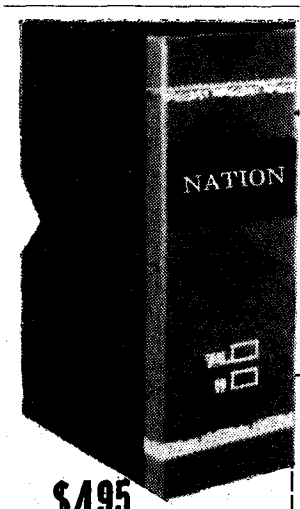


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**FIRES**

*Coals are found*
*in three places:*

*At the center of bones,*
*where life burns down.*

*In the resin*
*of pine root.*

*In the hearts*
*of salamanders,*
*tufts of straw*
*& wind.*

*What is lost*
*or gathered*
*will burn.*

*The little fires*
*hooves make*
*on rock.*

Stephen Leggett

and questions which necessarily arise about the true figure for reserves of raw materials. Recently *Geographical Journal* fought a running battle over what were the reliable numbers for oil reserves. This is a key matter, and oil companies are not bound in every country to supply such figures. Recently, moreover, many countries have begun to treat such statistics as secret information, since the figures have an effect on the market price of oil. Nevertheless, there is good evidence that at the present time there is a world surplus of oil; few business firms will look for more oil—or any raw materials—until the reserves dwindle. Clark's statistics scarcely reflect this situation.

In addition, Clark neglects entirely the resources of the sea bed. This is a great oversight, since the oceans cover three-fourths of the surface of the earth. It is estimated that supplies of certain minerals are almost inexhaustible. As Dr. John Mero, in his book *The Minerals of the Sea*, wrote in 1965: "What I would like to emphasize at this point is that substantial engineering data and calculations show that it would be profitable to mine materials such as phosphate, nickel, copper, cobalt, and even manganese at today's costs and prices. And I firmly believe that within the next generation the sea will be a major source of not only these metals, but of molybdenum, vanadium, lead, zinc, titanium, aluminum, zirconium, and several other metals as well." Getting at these minerals and establishing ownership is another matter, but certainly they cannot be ignored as Clark ignores them.

*Energy for Survival* does have an excellent section on solar and wind energy. And his discussion of the possible use of hydrogen to replace gasoline and natural gas is very interesting. Hydrogen could be the perfect fuel since it is virtually nonpolluting but, alas, it is now expensive to produce, and necessarily bulky to use.

The author notes that from the standpoint of efficiency, aircraft are near the bottom. He wrote of aviation that ". . . it is evident that the most energy-intensive means of moving goods and resources is by air. Yet this least efficient method of transportation has grown inordinately since 1950." We have an unalterable faith in aviation. In the military sphere, the belief in air power has become Holy Writ. The North Vietnamese and the Vietcong were able to win a lightning victory in Vietnam without the use of aircraft. Drew Middleton, the military expert for *The New York Times*, has pondered the matter at length and has not come up with an answer.

Clark does not mention the possibility of the reintroduction of lighter-than-air ships, or dirigibles; in England and Europe there is considerable interest in the idea. It is logical now that helium is more ready available and can replace hydrogen, which is dangerously flammable, for giving buoyancy to lighter-than-air craft. Airships are almost free from the noise-pollution disadvantages of normal aircraft and consume less energy; power is required only for propulsion and not for lift. However, fashion, even in such areas, is the great arbiter in the present world run by businessmen and lawyers who seldom see the factories which they direct from a distance. □

# Developing a Marxist Aesthetics

ART AND SOCIETY: Essays in Marxist Aesthetics. *By Adolfo Sanchez Vazquez. Translated by Mario Riofrancos. Monthly Review Press. 287 pp. $13.50.*

**TODD GITLIN**

Just as Marx is being dug out from under his vulgarizations by contemporary Marxist economics and history, so he is now being read, not merely brandished, in aesthetics. In recent years Marxist aesthetics has been rediscovered, with the crudities of vulgar exegesis stripped away from the brilliant core first formulated in the *Economic-Philosophical Manuscripts* of 1844. In recent years, we have had in America the brilliant studies of the English art critic John Berger (*The Moment of Cubism and Other Essays* and *Art and Revolution*; his *Success and Failure of Picasso* needs an American publisher), Marcuse's chapter on art in *Counterrevolution and Revolt*, and useful anthologies by Lee Baxandall (*Radical Perspectives in the Arts*), Louis Kampf and Paul Lauter (*The Politics of Literature*), and Berel Lang and Forrest Williams (*Marxism and Art*). While in the 1950s disillusioned Marxists tended to turn to the aridity of New Criticism and to abstract, gratuitous, shallow assaults on mass culture, and Stalinist aesthetics became more ridiculous as it became more defensive, there are now a range of Marxist critics who, in the spirit of Marx himself, and of Arnold Hauser and George Orwell, refuse to reduce art to its social content. One of these is the Spaniard, Adolfo Sanchez Vazquez, who lives in Mexico. *Art and Society* is the first of his books to be translated into English.

More systematic and scholarly than Berger, and also somewhat repetitious and leaden, Sanchez Vazquez reviews Marx's little-known writings on art and literature. These chapters are useful; enough of the original Marx is cited to give a flavor of Marx's concerns; indeed, this is the aesthetics Marx himself might have written had he been able to take time off from political economy. "Marxist aesthetic theory," the author writes, "attempts to give an account of what is, not of what should be. It does not outline norms or rules of creation: it is thus incompatible with normativism." Now that the Soviet Union, in its treatment of Solzhenitsyn, has reminded us once again that art matters, anti-Stalinist artists and critics may find comfort as well as edification in Marx.

The following passage expresses the essential direction of the position taken by Sanchez Vazquez:

> In a certain sense, each society gets the art it deserves, both because of the art it favors or tolerates, and because artists, as members of society, create in accordance with the particular type of relations they have with that society. This means that art and society, far from finding themselves in a relationship of mutual externality or indifference, either seek each other out or avoid one another, meet or separate, but can never completely turn their backs on each other.
>
> The importance of the relationship between art and society will be denied, or at least minimized, by those who see art as a completely gratuitous or playful activity, those who consider it the manifestation of the most radical individuality, and those who regard it as an absolutely autonomous sphere which escapes all conditioning. While art can have intrinsic value, this need not imply gratuitousness; while art can be

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an expression of the most profound individuality, it is a real concrete individuality, not an abstract individuality conceived at the margin of the community; and while art can be an autonomous sphere, this does not deny it a conditioning.

Unfortunately, for all the good sense of these paragraphs, they are pitched at a level of turgid abstraction—and so is much of the book as a whole; one misses the concreteness that informs the work of John Berger at its best. The exception is an excellently balanced treatment of Kafka's *The Trial*, a critique of both Stalinist and liberal positions that assume that Kafka's view of the world is purely metaphysical. (Sanchez Vazquez's reading of Kafka helps to explain Sartre's remark, quoted in the Baxandall volume, that he was led to Marx by reading Freud, Kafka and Joyce.) The author's abstract discussion is most persuasive when he makes a continuous argument, as in a sequence of chapters demonstrating Marx's thesis on the hostility of capitalism to art. At the same time, Sanchez Vazquez cuts through elitist views of the intrinsic inferiority of mass art, and grounds his hope for strong and democratic artistry, properly enough, in thoroughgoing social transformation. When art is threatened by Grand Inquisitors from the Kremlin to Madison Avenue, Sanchez Vazquez has performed a service to the memory and the future of Marx's aesthetic insights. □

# The Man Who Said, 'I Survived'

TALLEYRAND: The Art of Survival. *By Jean Orieux. Translated from the French by Patricia Wolf. Alfred A. Knopf. 667 pp. $12.95.*

**LESTER WILSON**

Of all the pivotal figures in the history of France, or of Europe for that matter, Charles Maurice de Talleyrand-Périgord is without doubt one of the most controversial. Talleyrand came from an old and prestigious noble family, and never forgot it. His life, spanning eight decades and almost as many regimes, is indeed, as the subtitle of Jean Orieux's book suggests, an exercise in the art of self-preservation. He had an uncanny sense of the possible; his antennae were no less attuned to those moments when life and personal fortune are best conserved by hasty exile, or by an abrupt severing of political ties. He survived, and did so in great style. Yet, as one follows Talleyrand's episodic career, one has to ask if the price of survival was not frequently excessive.

Jean Orieux, Talleyrand's most recent biographer, has undertaken a monumental task. The legacy of his subject is still open to diverse interpretations, and although Orieux intends to have Talleyrand speak for himself, he too must weigh the evidence and address the fact that Talleyrand's notoriety is almost as great today as it was a century and a half ago. We follow Talleyrand "from the seminary to the boudoir, from the Altar to the gaming table, from Versailles to the shabbiest nests of intrigue." Long before the end of the journey the reader is aware that Talleyrand is no ordinary mortal, and that his virtues and vices are correspondingly larger than life. Avarice and sensuality permeate the pages in which his personal affairs are discussed. Orieux does not excuse the avarice, but he is more accepting of the hedonism, which he passes off as a "taste for gracious living."

Talleyrand's role in the confiscation of Church property in the early months of the Revolution is beyond dispute. On October 10, 1789, he stood before the Assembly and in "honeyed tones" proposed that the holdings of the Church be taken over in order to provide an immediate source of revenue and thereby stave off national bankruptcy. Critics have considered this act particularly odious, all the more so as Talleyrand was the Bishop of Autun and a delegated representative of the First Estate. Orieux thinks otherwise. Talleyrand had in fact done France a great service; the Church was cleansed by its newly imposed poverty, and confiscation, already in the offing, was in any case an inevitability. Orieux concludes that Talleyrand was only "carrying out the nation's will." This assessment is compromised several paragraphs later when the author admits that, while the Bishop of Autun made some 500,000 livres from transactions related to the transfer of Church lands, the peasants, who should have benefited from the land redistribution, were almost completely excluded. This was not the "nation's will."

Orieux commends Talleyrand for proposing confiscation, but he cannot pardon him for supporting passage of the Civil Constitution of the Clergy. This law, which required the French clergy to assent to the nationalization of its property, and to subscribe to the principles of the Revolution as well, had disastrous consequences. Revolutionary issues were obscured by religious disputes, and entire segments of French society were permanently alienated from the ideals of the Declaration of the Rights of Man. Why the blunder? Orieux says that Talleyrand was simply too lethargic to move, even though he clearly perceived the unfortunate results this law would have. All too often a "flabby will" led the Bishop of Autun to abandon a cause rather than put forth the effort necessary for protracted battle.

The most interesting chapters of this biography are devoted to the Napoleon-Talleyrand years. Orieux is fascinated by the special relationship between the Emperor and Talleyrand, his foreign minister. Mutual respect and suspicion jostle each other without either overpowering the other. Napoleon, subject to frequent rages, seldom visited signs of his displeasure on Talleyrand. The Emperor often suspected his foreign minister of treason. For anyone else, particularly since some of Napoleon's suspicions were well-founded, arrest and execution would have followed. Yet nothing was ever clarified, and Talleyrand was never brought to account for his sins. Orieux explains the Emperor's perplexing behavior by pointing to Talleyrand's crucial part in the overthrow of the Directory, and to the importance of his support in Bonaparte's subsequent meteoric rise to power.

It is customary to congratulate Talleyrand for his efforts at the Congress of Vienna, and for his success in reintegrating France into the Concert of Europe. Orieux concurs, although he is scandalized by the vast sums of money Talleyrand managed to extract in bribes and gratuities from many of the delegates. The Congress came to an inglorious end with the return of Napoleon from Elba. Orieux adds a curious detail, although documentary evidence is not available, and the case must end in supposition: he claims that Talleyrand and Castlereagh, the English foreign secretary,

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FLOWERS OF WINTER: FOUR SONGS

*Song of the Drowning Man*

*I want to go*
*to a place where nothing can hurt me.*

*Song of the New Wife*

*Everything I touch turns to dust,*
*his pleasure is a mystery to me.*

*Song of the Husband*

*My arrows miss the heart of the deer,*
*her desire is not equal to mine.*

*Song of the Newborn*

*I come from the valley of endings,*
*there is no place to go but onward.*

Duane BigEagle

connived to facilitate Napoleon's return to France. Alexander I had insisted on the exile to Elba, but Talleyrand and Castlereagh were uneasy with the Emperor at such close range and wanted him sent to a truly remote location. If their connivance is a fact—and the absence of documentary evidence cannot be dismissed—then Orieux must explain, which he does not, why Alexander could not have been persuaded against Elba from the outset. Was Waterloo really necessary to get Napoleon removed to St. Helena?

Orieux is critical of the strengthening of Prussia that resulted from the deliberations at the Congress. England, so as to compensate Prussia for not getting all of Saxony, and to put a strong buffer state on the French border, managed to extend Prussian territorial holdings in the Rhineland. Orieux again accuses Talleyrand of laxity for not vigorously protesting this threat to French security. Is the author using hindsight? But who, in 1815, would have predicted the role Prussia was to play under Bismarck, or the influence a Prussia-dominated Germany was to have on subsequent international relations?

Orieux is writing for a French audience and assumes a certain understanding of French revolutionary history. American readers who are unfamiliar with the period will occasionally have some rough going. The early pages contain an abundance of genealogical information about the Talleyrand-Périgords that makes for uninteresting reading. Sometimes Orieux includes extraneous details that add little of importance, even to the most complete account. But these are minor flaws. What does merit critical attention, however, is his penchant for quoting Talleyrand, and those around him, with very improbable accuracy. The facial expressions of the same people on this or that occasion are also recorded, though these are difficult if not impossible to document. Better footnoting would at least enable the reader to evaluate this particular use of source materials.

*Talleyrand: The Art of Survival* is not the *tour de force* its illustrious subject deserves. It is nonetheless well worth reading. Interest grows as Orieux unravels the complexities of his story. At the point when Talleyrand finally consents to return to the Church and bows to the unavoidable imminence of death, the reader mourns along with those at his bedside. Talleyrand was not endearing; he was, however, unique. □

# Leonardo Vadillo

**JAMES HODGSON BUDD**

*Mexico City*

Among Mexico's docile newspapermen, cartoonists are the mavericks. They get away with a lot, says Leonardo Vadillo, because editors can claim nobody takes the light-hearted drawings very seriously. Which isn't true at all. The political cartoon is probably the only item on Mexican editorial pages that most readers bother to glance at. Cartoonists such as Abel Quezada and Rius (Eduardo del Rio) are far better known than many political columnists. Vadillo, for his part, is well on his way to earning an international reputation. A regular contributor to the newspaper *El Sol* and to the magazines *Siempre* and *Ser*, his work has appeared not only in *The Nation* but in *Time, Punch* and *Paris Match*.

Vadillo describes himself as a bit of a leftist, a bit of a nationalist, but mostly as a guy who sides with the underdog. If his work has any recurring theme, it is a campaign against inequality. "I suppose readers can identify with my cartoons," he says. "All of us feel we get the short end of the stick most of the time in our lives."

Vadillo himself has just grabbed the long end but he isn't certain how long he can hold on to it. At 46 he has only begun to taste success. He lives now with his wife and three children in Cuernavaca, a tropical resort 50 miles south of Mexico City. Lately he has been thinking of buying his own home, but hesitates: "In Mexico cartooning has never been a very secure profession."

That may be changing. After bouncing around from one daily to another, trying always to keep out of trouble but not to compromise himself, Vadillo is now on top. He sends in his work by messenger and scarcely ever sees his bosses. No longer does he argue about what he may be permitted to draw.

Mexico has no censored press. Newspapers are kept in line through a much more subtle system: bribery. Reporters are often paid more by their sources than by their employers. In return, they get some stories into print, keep others out. Editors and publishers find many advantages to going along with this way of doing things (it keeps salaries down, for example) and very few advantages in going against it.

El Sol De Mexico

*Multinational*

Vadillo blames the newsmen themselves for this situation—they are as much extortionists as reporters. Even cartoonists are not innocent. In return for weekly payoffs, caricatures of cabinet ministers and public officials turn out to be flattering portraits. Those who forget to send a check tend to grow warts in print.

Vadillo recalls his stint during the early days of *El Dia*, Mexico's principal leftist daily. It was founded by people of great dedication, he says, but once it became apparent the newspaper was having an impact, the payoffs began coming in and the dedication faded. The editor ordered his cartoonist to limit his drawings to international themes. Instead, Vadillo sought employment elsewhere.

There was a great deal he could do in the more conservative press, he found, if he took a cautious approach. Caught up in the cold war, publishers wanted to see no

*James Budd writes from Mexico for several news agencies, among them Copley and UPI. He was formerly editor of* The News *(Mexico City).*



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reference to socialism, communism or imperialism. Such concepts could only be hinted at. "I can't say I liked this, but it forced me to hone my skills," Vadillo says. Matters have improved so much in recent years that he sees scarcely any restrictions. The President, he admits, must be shown favorably. Vadillo generally refrains from drawing him and other Mexican officials as well.

"It's a matter of principle with me," he explains. "Policies, not personalities, are what count. Cartoonists should keep this in mind. Just because we don't agree with a specific program is no reason to attack the man behind it. That's not quite honest. It's the program that should be criticized."

Vadillo says he depends heavily on props in his drawings. "I'm fortunate in having ideas come quickly to me. I read a news item and unconsciously I visualize it in terms of a cartoon. Mention Arabs and I'm likely to think of a sheik on a flying carpet. Tie in oil wealth and it's easy enough to see that same sheik flying on a carpet woven out of dollar bills. That's a gift I was born with and I'm grateful for it. It isn't something that can be taught."

Vadillo did study his trade. He took art instruction for two years and had some hope of becoming a painter or sculptor. He drifted into drawing for newspapers as a way to earn money. Not that he regrets it. Vadillo continues to paint and does some sculpture in clay, but cartooning is what he enjoys most.

His ambition now is to start a comic strip. He believes the funnies to be a new literary form. Rius, who dedicates his talents to comic books, is one of the most respected and controversial social critics in Mexico. Vadillo would like to do a strip for *El Sol*. With luck he thinks it might be syndicated internationally. "I'm working on several ideas," he says. "What I want is a strip that would be funny, yet make people think. I'm looking for something with international appeal." □

# FILMS

## ROBERT HATCH

Ralph Bakshi is possessed of a wild fancy and a savage indignation and he deploys the two to dynamite the antagonists on either side of the black and white social war of our time. *Coonskin*, the latest of his cartoon and live-action films, is not one of your run-of-the-mill hate movies, with clean-jawed good guys prevailing under absurd odds against hell's minions. Bakshi distributes his rage with an even and marvelously deft hand and, if he is really telling it like it is, there is little hope this side of doomsday.

*Coonskin* is a story within a story. It opens with two Southern blacks, a stolid family man and a God-wrestling preacher, driving off to rescue a young colleague from a penitentiary some miles away. They are delayed en route, partly because they must kill their way out of a police roadblock, and at the prison an old convict helps the young escapee to pass the hours of waiting by telling him a tale of Br'er Rabbit in Harlem. That is the main story, the principals and many of the citizens of Harlem being cartoon figures, but often appearing in tangible locations and associating with flesh-and-blood supernumeraries. Bakshi's cartoon inventions have a lacerating vitality unmatched in the annals of animation, and his blending of them with human actors in real situations is not only technically deft but encourages a nightmarish ambiguity that suits his purpose.

Rabbit is accompanied by Brother Bear (Samson) and Brother Fox (Preacher), three country boys who are at least analogous to the protagonists of the framing story. They find Harlem in the grip of a Mafia-police tyranny, abetted by a bladder-like black salesman of religious hysteria, and with Rabbit in the lead they undertake to wipe out these parasites and assume power themselves. The police chief they pump full of dope, dress up in fag clothing and let loose among the sodomites. The godfather, a beringed and smirking fungus with a family of murderous transvestites, falls victim to the tar-baby; I forget exactly how the obese revivalist meets his end—nude on an illuminated cross, I believe.

Indeed, it is hard to recall in any orderly fashion what happens once Br'er Rabbit launches his attack—events coalesce in a roaring sewer of blood and neon. Harris's Br'er Rabbit was indeed sly; Bakshi's is poisonously lethal. That may be a measure of how the races have got on together in the past seventy-five years, with criminals today, both black and white, sucking obscenely at the corruption of Harlem, a young black girl left desolate by her faithless cockroach lover and the only memory of humanity a lonely trumpet playing in a moonlit alley.

In the cartoon story, Bakshi exaggerates preposterously, taking off from the reality that horrifies him on a flight of avenging violence. But lest anyone suppose he is content with an admonitory fantasy, he comes back at the end to the penitentiary, where granite-faced guards in trooper hats are pumping bullets from the guard tower into the escaping convict and his rescuers. Of course, prison breaks do invite shooting and are therefore not a recommended device for correcting injustice. But if I understand Bakshi, he is saying, in both stories, that there is no longer any acceptable way to cope with the racial disease—that relentless bleeding is the only remaining remedy. I hesitate to accept his diagnosis because I know his prescription will lead to disaster. A good many voices, primarily from the black community, were raised against the showing of *Coonskin*. I don't like censorship, official or pressure group, and in this case it can be supposed that what Bakshi really hopes for is a revulsion against the madness he so vividly evokes. But although his portrayal of blacks is such as to have produced outcries from blacks, inevitably his film implies a justification for such havoc as they create, and these are times when any fiction that can be interpreted as justifying an orgy of

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hate appalls me. Bakshi's Br'er Rabbit is an avenging superman immune from the consequences of his acts—it is a notion that none of us, black or white, can afford.

A film released earlier and now playing in neighborhood houses is *Cooley High*, directed by Michael Schultz from a script by Eric Monte. It is a nostalgic account of a group of high-spirited and for the most part very attractive black high school boys and girls in Chicago in 1964.

The focal pair are Cochise (Lawrence-Hilton Jacobs), a cool but merry youth with a college basketball scholarship in his pocket, and Preach (Glynn Turman), a boy who writes poetry and reads history for fun, but whose grades are the worst around. They and their friends sneak out of school to visit the zoo, strive wolfishly and oafishly to seduce the girls, bring wine to phonograph and pretzel parties, and engage in the milder forms of ripping-off the community. It is a happy picture (despite the fact that one of the boys is dead before the end) and it is a hopeful picture in the sense that Preach, the boy with the brains and the dreams, gets the most desirable girl in the crowd.

But in the shadow of *Coonskin*, one is oppressed by the feeling that these young people are running out of time. In the first place, they seem to have been about the last group to grow up in a state of relative ease with their environment. Black identity in its present often abrasive and sometimes menacing form had not yet reached Chicago. These youngsters have no particular feeling about whites—indeed they seem unaware of them—and yet their activities and attitudes are not much different from those of comparable young whites. They seem, for example, not unlike the crowd in *American Graffiti*, except more exuberant and quick-witted.

Still, there is a difference; it reaches to the heart of the injustice that produces the sort of horror magnified by Bakshi. It is deplorable how many white kids goof-off, rip-off, get themselves into reasonably serious trouble, and in general behave as though growing up were something that would never happen to them. But when it does happen, there are avenues whereby they can find their way into society. Too many, perhaps, will be stunted, but most of them will to some degree make it.

For blacks like the crowd at Cooley High there are few such avenues, and none at all except for the most promising. (We are forever telling ourselves that promising blacks do very well these days, as though promise were a quality widely distributed in the white population. The fact is, it's not widely distributed anywhere, but for blacks it is essential.) A short summary at the end of *Cooley High* tells us that Preach became a screen writer in Hollywood (that was his dream), but in the closing scenes it doesn't look that way. Of the others, two are dead and two are in prison and, except perhaps for Preach's girl, no one has made it. There is a scene in which a black teacher pleads with Preach to use his good brains. "What is it you really want?," the man asks. "I want to live forever," the boy replies, putting on a dopey smirk. The teacher gives up. I felt beaten, too—not by Preach but by what I felt pretty sure was in store for him. In Bakshi's 1975 no poet and dreamer wins the prettiest girl. When civil rights came North, the ghettos were waiting. No one foresaw that something like *Coonskin* would be the result. □

## THE STARS FROM THEIR TALL POSTS

*Each night the bedroom turns into a cave*
*At the foot of a giant waterfall.*

*Even in our sleep we can hear it*
*Pouring water like the wind*

*Past the wide open mouth of the cave*
*To great sheets of moonlight,*
*The black rock at the entrance*

*In pure silver drenched,*
*Quivering, cold, soaring . . .*

*All night long we keep swimming*
*In and out of our dreams.*

*Outside our windows the stars*
*Are talking to each other, in low voices*

*But we are too busy to listen,*
*As if we were children at play*

*You are a large cloud*
*Lying beside me, every once in a while*
*Pricked by faint sparks of lightning*

*While I climb aloft, in the rigging*
*Strong as a seagull I grow wings . . .*

*Waking, I hear you snoring,*
*Huddled beside me as usual*

*But sleeping once more, on the dazzled ocean of the bed*
*Do I ask for you? Do you dream*
*For one moment of me?*

*As if the room were a boat,*
*As if we were blind sailors*
*Now everything disappears,*

*Adrift on a sea of miracles*
*The buoys that mark our passage,*
*The fires that shoot across the water*

*Now everything is cut loose*
*Wherever we go we will forget*
*Most of it by morning*

*But here, on the lap of night*
*It is impossible to go too far*
*Or too much alone:*

*The waterfall world rushes on*
*But the stars from their tall posts are watching,*

*In the dark cave of the bedroom, somehow*
*Something returns us to the harbor*
*Safely, just before dawn.*

Patricia Goedicke



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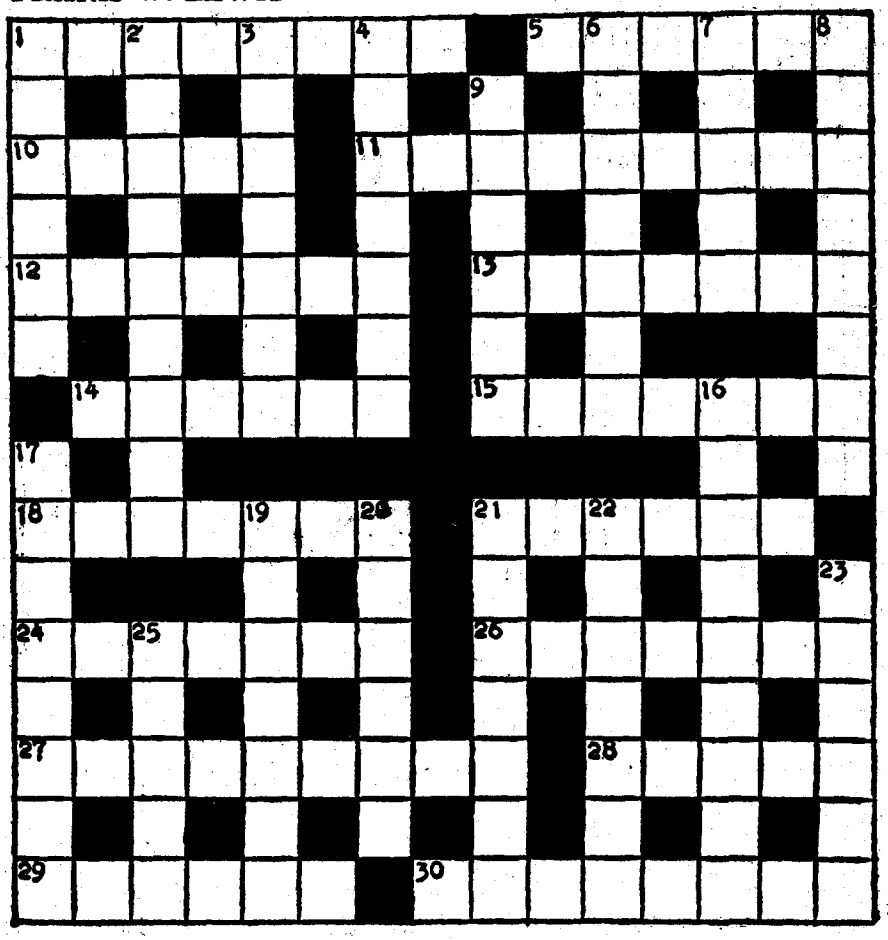
# Crossword Puzzle No. 1599

**FRANK W. LEWIS**



ACROSS

1 and 5 One might have to, with the nested type, before using them for play. (8,6)
10 The way you should start to get filled with wonder? (The course was changed if you did.) (5)
11 and 23 down Irresistibly met in paradox. (9,6)
12 A requirement to get articles from Paris sewers might have them, just in case. (7)
13 A possible description of highland fairways catches on, perhaps. (5,2)
14 Avoids women's dress? (6)
15 The sort that slip don't pound. (7)
18 It shouldn't be the low road of song. (7)
21, 19 and 1 down When company leaves without comment, naturally? (2,4,7,6)
24 In part, used at escaping what the drug does at times. (7)
26 Where they cleaned up with a type of Prohibition gin? (7)
27 To live in a state of flux, yet to be undamaged. (9)
28 Track harness? (5)
29 It's supposed to be returned, though the source might be private. (6)
30 Head-splitting, going on a tear with a partisan! (8)

DOWN

1 See 21 across
2 Traditionally hazardous seat. (6-3)
3 One might be a poser, or else shoot things full of holes. (7)
4 Everything between Q and U is in this, as one does without water. (7)
6 To do it and be recognized might be a challenge. (7)
7 Do they endear, with proper division? (5)
8 Did Mary's following grow to look so uncomfortable? (8)
9 Indicative of pleasure due to some distance being made in the boat. (6)
16 Being only human, Hamlet had no pretensions of being one. (5,4)
17 Scotch and Irish, typically—that is, moves quickly about! (8)
19 See 21 across
20 Is one likely to prove very agreeable? (3-3)
21 Hardly a way to introduce new blood. (7)
22 and 25 down Where should you be headed? Scratch, if so told. (2,2,3,5)
23 See 11 across
25 See 22 down

SOLUTION TO PUZZLE NO. 1598

ACROSS: 1 and 10 Savings account; 9 Insulin; 11 Nooks; 13 Large; 14 Ease off; 16 Ratings; 18 Fanfare; 21 and 24 Steeplechase; 27 Baric; 28 Include; 29 Helpers; 30 Nesters; 31 Sheeted. DOWN: 1 and 18 Science fiction; 2 Viscous; 3 Nulls; 4 and 5 across Sense of balance; 5 Bladder; 6 Local; 7 Neutron; 8 Esteems; 17, 12, 15, 22 and 26 The End of a Perfect Day; 19 Nuances; 20 Endless; 21 Scythes; 23 Encased; 25 Elude; 27 Bulge.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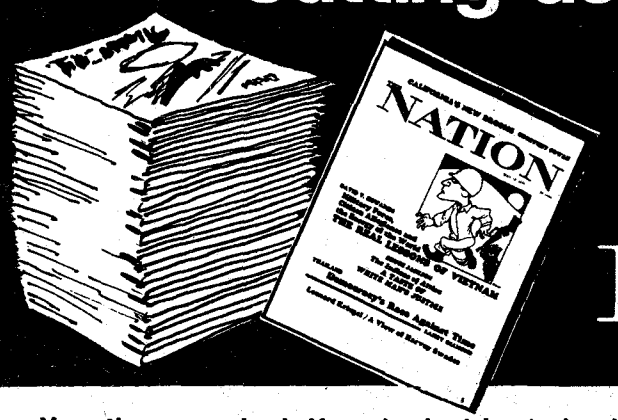


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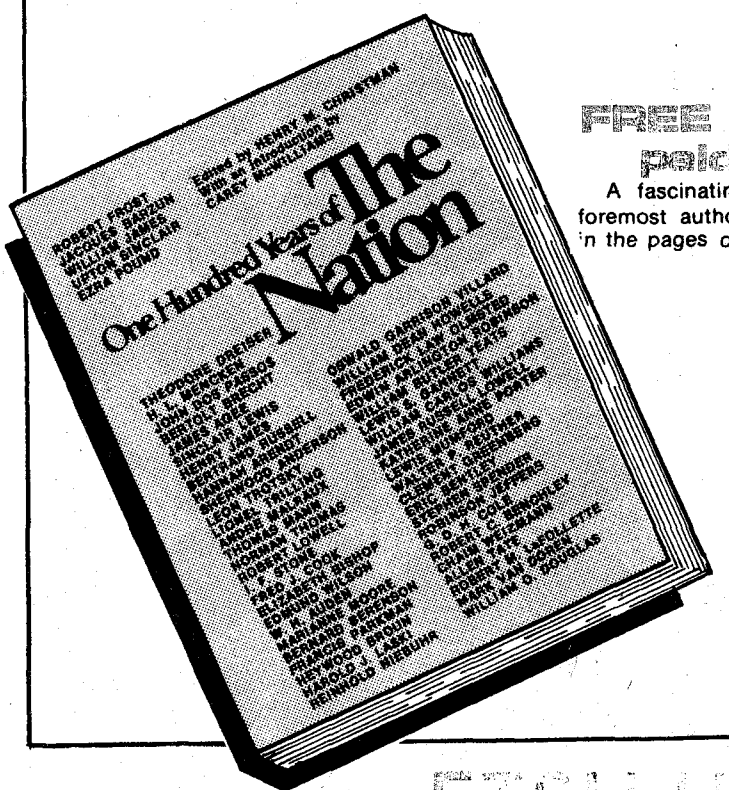


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